FEDERAL REGISTER

VOLUME 24 NUMBER 15

Washington, Thursday, January 22, 1959

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of the Treasury

Effective upon publication in the FEDERAL REGISTER, paragraph (a)(5) of § 6.303 is revoked.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-608; Filed, Jan. 21, 1959; 8:51 a.m.]

PART 29—RETIREMENT

Voluntary Contributions

Paragraphs (b) and (d) of § 29.14 are amended as set out below.

§ 29.14 Making of voluntary contributions.

* * * * *

(b) No voluntary contributions shall be made by an employee who (1) has not deposited amounts covering all civilian service performed by him since August 1, 1920, or (2) has previously received a refund of voluntary contributions and is not again employed within the purview of the Retirement Act after a separation of more than three calendar days.

* * * * *

(d) Voluntary contributions may be withdrawn (1) while the employee is in service, (2) after the employee is separated but before he receives any additional annuity based thereon, or (3) upon the employee's or separated employee's death before retirement.

(Sec. 16, 70 Stat. 758; 5 U.S.C. 2266)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] WM. C. HULL,
Executive Assistant.

[F.R. Doc. 59-609; Filed, Jan. 21, 1959; 8:51 a.m.]

Chapter II—Employment and Compensation in the Canal Zone

PART 202—FILLING POSITIONS

PART 209—GRIEVANCES AND APPEALS

Correction

In F.R. Doc. 59-365, appearing at page 347 of the issue for Thursday, January 15, 1959, the following changes should be made:

1. In § 202.2(c), the word "required" should read "require".

2. In § 209.2, the words "this part" should read "those parts".

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Agricultural Research Service, Department of Agriculture

SUBCHAPTER C—INTERSTATE TRANSPORTATION OF ANIMALS AND POULTRY

[B.A.I. Order 383, Revised, Amdt. 105]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

Subpart A—General Restrictions

INTERSTATE MOVEMENT OF SWINE FROM PUBLIC STOCKYARDS

On November 25, 1958, there was published in the FEDERAL REGISTER (23 F.R. 9109) a notice with respect to a proposal to amend § 76.5 of the regulations governing the interstate movement of swine (9 CFR 76.5, as amended). After due consideration of all relevant material, and pursuant to sections 1 and 2 of the act of February 2, 1903, as amended (21 U.S.C. 120, 111), paragraphs (c) and (f) of said § 76.5, in Title 9, Code of Federal Regulations, as amended, are hereby amended to read, respectively:

§ 76.5 [Amendment]

(d)(1) *Serum-alone method.* The swine may be given the serum-alone injection with hog-cholera serum or antibody concentrate prepared under license

(Continued on next page)

CONTENTS

	Page
Agricultural Research Service	
Rules and regulations:	
Hog cholera, swine plague, and other communicable swine diseases; interstate movement of swine from public stockyards	497
Agriculture Department	
See Agricultural Research Service; Commodity Stabilization Service.	
Air Force Department	
Rules and regulations:	
Contracts; amendment	500
Army Department	
Rules and regulations:	
Canal Zone, employment and compensation therein; correction	497
Civil Aeronautics Board	
Notices:	
Hearings, etc.:	
Allen, Herbert T., safety enforcement	507
Service to Santa Catalina Island	507
Transportes Aereos Nacionales, S.A.	507
Civil and Defense Mobilization Office	
Notices:	
Renz, Oscar F.; appointee's statement of business interests	515
Civil Service Commission	
Rules and regulations:	
Exceptions from the competitive service; Treasury Department	497
Retirement; voluntary contributions	497
Coast Guard	
Notices:	
Continuance of lifeboat station at Point Reyes, California; hearing	506
Commerce Department	
Notices:	
Hebert, Raymond E.; statement of change in financial interests	505
Commodity Stabilization Service	
Notices:	
Beets, sugar; hearings on 1959 crop wages and prices	505

FEDERAL REGISTER

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CONTENTS—Continued

Defense Department Page
See Air Force Department; Army Department.

Federal Housing Administration
Rules and regulations:
Cooperative housing insurance; rights and obligations of mortgagee under insurance contract; project mortgages 501

Federal Power Commission
Notices:
Hearings, etc.:
Cox, Edwin L., et al 510
Cyprus Oil Co. et al 511
Hunter Co., Inc 514
Mt. Olivet Natural Gas Co 508
Nemours Corp 508
New York State Natural Gas Corp. and Manufacturers Light and Heat Co 509
Pure Oil Co. (2 documents) 511, 512
Shell Oil Co 514
Sinclair Oil & Gas Co. et al 513
South Georgia Natural Gas Co 510
Sunray Mid-Continent Oil Co 513
Texas Gas Transmission Corp 508
Washington Gas Light Co. and Atlantic Seaboard Corp 509

Federal Trade Commission
Rules and regulations:
Cease and desist orders:
Concord Radio Corp. et al 499
Zoysia Farm Nurseries, Inc., et al 500

Food and Drug Administration Page
Rules and regulations:
Tolerances and exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities 499

Health, Education, and Welfare Department
See Food and Drug Administration.

Housing and Home Finance Agency
See Federal Housing Administration.

Indian Affairs Bureau
Rules and regulations:
Colville Indian Irrigation Project, Washington; orders fixing operation and maintenance charges 499

Interior Department
See Indian Affairs Bureau; Land Management Bureau.

Interstate Commerce Commission
Notices:
Motor carriers:
Alternate route deviation notice 517
Applications for "grandfather" certificate or permit 515
Transfer proceedings 519
Parcel post rates, increased; hearing, etc 518
Rules and regulations:
Carriers by water; Annual Report Form M 503

Labor Department
See Wage and Hour Division.

Land Management Bureau
Notices:
Filing of plat of survey and order providing for opening of public lands; Montana 504
Proposed withdrawals and reservations of lands:
Alaska 505
Arizona 505
Montana (2 documents) 504, 505

Treasury Department
See also Coast Guard.
Notices:
Century Indemnity Co. et al.; termination of authority to qualify as sureties on Federal bonds 506

Veterans Administration
Rules and regulations:
Vocational rehabilitation and education; measurement of full- or part-time courses 503

Wage and Hour Division
Notices:
Learner employment certificates; issuance to various industries 506

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 5 Page
Chapter I:
Part 6 497
Part 29 497
Chapter II:
Part 202 497
Part 209 497

Title 9
Chapter I:
Part 76 497

Title 16
Chapter I:
Part 13 (2 documents) 499, 500

Title 21
Chapter I:
Part 120 499

Title 24
Chapter II:
Part 242 501

Title 25
Chapter I:
Part 221 499

Title 32
Chapter VII:
Part 1053 500

Title 38
Chapter I:
Part 21 503

Title 49
Chapter I:
Part 301 503

from the Secretary of Agriculture. The dosage of serum or antibody concentrate administered shall be in conformity with the amounts specified in paragraph (f) of this section.

(2) *Simultaneous-inoculation method.* The swine may be given simultaneous inoculation with anti-hog-cholera serum or antibody concentrate, and hog cholera virus or modified live virus vaccine, prepared under license from the Secretary of Agriculture. The dosage of serum or antibody concentrate used with the hog cholera virus or modified live virus vaccine shall be in conformity with the amounts specified in paragraph (f) of this section.

* * * * *

(f) The dosage of serum or antibody concentrate for the treatment of swine under the provisions of paragraph (d) of this section shall in no instance be less than the respective dosage specified in subparagraph (1) of this paragraph. The dosage of hog cholera virus or modified live virus vaccine for the treatment of swine under the provisions of paragraph (d) of this section should be the respective dosage suggested in subparagraphs (2) and (3) of this paragraph.

(1) *Dosage of anti-hog-cholera serum or antibody concentrate.*

Weight of swine (pounds)	Minimum dose of serum (cubic centimeters)	Minimum dose antibody concentrate (cubic centimeters)
Suckling pigs	20	10
20–40	30	15
40–90	35	17.5
90–120	45	22.5
120–150	55	27.5
150–180	65	32.5
180 and over	75	37.5

(2) *Dosage of virus.*

Weight of swine (pounds):	Dose of virus (cubic centimeters)
20–40	1
40 and over	2

(3) *Dosage of modified live virus vaccine.* The dosage of modified live virus vaccine should be that recommended on the product label by the licensed manufacturer for use with the amounts of anti-hog-cholera serum or antibody concentrate given in subparagraph (1) of this paragraph.

The foregoing amendment authorizes the use of a new product, antibody concentrate, in treatment of swine for interstate movement to certain States from public stockyards, in addition to methods of treatment heretofore authorized and thereby relieves restrictions deemed necessary to prevent the spread of swine diseases. It is necessary to relieve the restrictions in this manner as soon as possible in order to facilitate the interstate movement of swine. Therefore, under section 4 of the Administrative Procedure Act (5 U.S.C. 1003), good cause is found for making the amendment effective less than 30 days after publication in the FEDERAL REGISTER.

Effective date. The foregoing amendment shall become effective upon publication in the FEDERAL REGISTER.

(Secs. 1, 2, 32 Stat. 791–792, as amended; 21 U.S.C. 120, 111)

Done at Washington, D.C., this 19th day of January 1959.

[SEAL] M. R. CLARKSON,
Acting Administrator,
Agricultural Research Service.

[F.R. Doc. 59–586; Filed, Jan. 21, 1959; 8:47 a.m.]

Title 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 221—OPERATION AND MAINTENANCE CHARGES

Colville Indian Irrigation Project, Washington

JANUARY 13, 1959.

On November 27, 1958, there was published in the daily issue of the FEDERAL REGISTER, Volume 23, Number 232, Page 9191, Notice of Intention to amend § 221.9, Subchapter T, Chapter I of the Code of Federal Regulations Title 25. This section deals with the operation and maintenance charges on assessable lands at the Colville Indian Irrigation Project, Washington. Interested persons were thereby given opportunity to participate in preparing the proposed amendment by submitting their views and data or arguments in writing to Don C. Foster, Area Director, within thirty days from the date of publication of the notice. No comments have been received. Accordingly, § 221.9 of Title 25, Code of Federal Regulations, Chapter I, Bureau of Indian Affairs, Subchapter T, Operation and Maintenance Assessments, is amended as follows:

§ 221.9 Charges.

The annual operation and maintenance charges are hereby fixed for the lands under the various units in the amounts named in this section, on the Colville Indian Irrigation Project, Washington.

(a) The per acre per annum rates for the following units are: Nespelem Unit $5.00; Little Nespelem Unit $5.00. All patent in fee lands and all Indian trust lands to which water can be delivered for irrigation and on which application for water services is made by the water users and approved by the Superintendent of the Indian Reservation, are subject to the above rates.

(b) The per acre per annum rate for the Monse Pumping Unit is hereby fixed at $5.00 per acre for all patent in fee lands for which there are water right contracts, and for all Indian trust lands to which water can be delivered for irrigation. These charges shall apply regardless of whether water is requested or not.

MARTIN N. B. HOLM,
Acting Area Director.

[F.R. Doc. 59–580; Filed, Jan. 21, 1959; 8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Revocation of Tolerance for Residues of O,O-Diethyl S-2-Diethylaminoethyl Phosphorothioate Hydrogen Oxalate

No objections having been filed to the proposal published in the FEDERAL REGISTER of December 5, 1958 (23 F.R. 9458), that the tolerance for residues of *O,O*-diethyl *S*-2-diethylaminoethyl phosphorothioate hydrogen oxalate in or on undelinted cottonseed be revoked, and no request having been received for referral of the proposal to an advisory committee: *It is ordered,* That the regulations for setting tolerances and granting exemptions from tolerances for pesticide chemicals in or on raw agricultural commodities (23 F.R. 6403) be amended as follows:

1. Section 120.3 *Tolerances for related pesticide chemicals,* is amended by deleting from paragraph (e)(5) the item reading "*O,O*-diethyl *S*-2-diethylaminoethyl phosphorothioate hydrogen oxalate."

2. Section 120.164 *Tolerances for residues of O,O-diethyl S-2-diethylaminoethyl phosphorothioate hydrogen oxalate* is revoked.

This action is taken pursuant to the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 408 (e), (m), 68 Stat. 514, 517; 21 U.S.C. 346a (e), (m)), and delegated to the Commissioner of Food and Drugs by the Secretary (21 CFR 120.29 (23 F.R. 6403)).

Any person who will be adversely affected by the foregoing order may, at any time prior to the thirtieth day from the effective date thereof, file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by this order, specify with particularity the provisions of the order deemed objectionable, and reasonable grounds for the objections, and request a public hearing on the objections. Objections shall be filed in quintuplicate and may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective upon publication in the FEDERAL REGISTER.

(Sec. 701, 52 Stat. 1055, as amended; 21 U.S.C. 371. Interprets or applies sec. 408, 68 Stat. 511; 21 U.S.C. 346a)

Dated: January 16, 1959.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 59–590; Filed, Jan. 21, 1959; 8:48 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 7097]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Concord Radio Corp. et al.

Subpart—*Advertising falsely or misleadingly:* § 13.140 *Old, reclaimed, or reused as new;* § 13.175 *Quality of product or service.* Subpart—*Neglecting, unfairly or deceptively, to make material disclosure:* § 13.1880 *Old, used, reclaimed, or reused as unused or new;* § 13.1886 *Quality, grade or type of product;* § 13.1900 *Source or origin:* Government surplus.[1]

[1] New.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Concord Radio Corporation et al., New York, N.Y., Docket 7097, December 2, 1958]

In the Matter of Concord Radio Corporation, a Corporation, and William Abramowitz, Individually and as an Officer of Said Corporation and Doing Business as Fay-Bill Distributing Co., and Theodore Black, Individually and as an Officer of Concord Radio Corporation

This proceeding was heard by a hearing examiner on the complaint of the Commission charging two affiliated mail order distributors of electronic equipment in New York City with advertising falsely as "Brand New" television and radio tubes which contained used envelopes or shells, and with failing to make adequate disclosure on cartons, tubes, invoices, or shipping memoranda when such tubes were Government surplus or contained used parts.

After acceptance of an agreement containing consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 2 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That Concord Radio Corporation, a corporation, and its officers, and William Abramowitz, individually and as an officer of said corporation, and as an individual doing business as Fay-Bill Distributing Co., or under any other name, and their agents, representatives, and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of receiving tubes and cathode-ray or picture tubes in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing directly or by implication that said products are new or brand new unless such is the fact;

2. Failing to disclose in advertising, on invoices or packing slips, on the cartons in which the products are packaged and on the products themselves that they are JAN, VT, or other government surplus, or that they contain a used part or parts when such is the fact.

It is further ordered, That the complaint herein be, and the same is, dismissed as to respondent Theodore Black and as to the charge relating to the sale of used and factory seconds or rejects as "first quality" tubes and the failure to reveal said fact.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That Concord Radio Corporation, a corporation, and William Abramowitz, individually and as an officer of said corporation and doing business as Fay-Bill Distributing Co., shall within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 2, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-578; Filed, Jan. 21, 1959; 8:46 a.m.]

[Docket 7130]

PART 13—DIGEST OF CEASE AND DESIST ORDERS

Zoysia Farm Nurseries, Inc., et al.

Subpart—*Advertising falsely or misleadingly:* § 13.20 *Comparative data or merits;* § 13.85 *Government approval, action, connection or standards;* § 13.110 *Indorsements, approval, and testimonials;* § 13.205 *Scientific or other relevant facts.* Subpart—*Claiming or using indorsements or testimonials falsely or misleadingly:* § 13.330 *Claiming or using indorsements or testimonials falsely or misleadingly.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Zoysia Farm Nurseries, Inc., et al., Baltimore, Md., Docket 7130, December 2, 1958]

In the Matter of Zoysia Farm Nurseries, Inc., a Corporation, Green Beauty Zoysia Company, a Corporation, and Herbert L. Friedberg, Sidney M. Friedberg, and Sylvia Friedberg Nachlas, Individually and as Officers of Said Corporations, and R. Stuart Armiger

This proceeding was heard by a hearing examiner on the complaint of the Commission charging Baltimore mail order sellers with advertising falsely the rate of growth of their "Amazoy" and "Green Beauty" Zoysia grass, U.S. Government and Department of Agriculture approval of the grasses, endorsement by official experts as superior to other grasses, as providing a carefree lawn, requiring less watering or fertilization than other grasses, etc.

After acceptance of an agreement providing for the entry of a consent order, the hearing examiner made his initial decision and order to cease and desist which became on December 2 the decision of the Commission.

The order to cease and desist is as follows:

It is ordered, That respondents Zoysia Farm Nurseries, Inc., a corporation, and its officers, Herbert L. Friedberg, Sidney M. Friedberg and Sylvia Friedberg Nachlas, individually and as officers of said corporation, and R. Stuart Armiger, individually and as general manager of said corporation, and respondents' agents, representatives and employees, directly or through any corporate or other device, in or in connection with the offering for sale, sale and distribution of their Zoysia grass under the names of Amazoy and Green Beauty or under any other name or names, in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Representing, directly or by implication, that:

(a) Their Amazoy grass has been approved by the United States Government.

(b) Tests by impartial public official experts have proved respondents' Amazoy to be superior to other lawn grass, unless such is the fact.

(c) Each plug of Amazoy multiplies itself fifty times in a few months or misrepresenting in any manner the rate of growth of Amazoy or Green Beauty grass.

(d) The United States Department of Agriculture recommends that only plugs be used for planting in existing lawns.

(e) Amazoy provides a carefree lawn or requires less watering or fertilization, unless clearly limited to Amazoy that has become well established.

(f) An Amazoy lawn is weed free unless clearly limited to summer weeds.

(g) Their Green Beauty grass has been proved by the United States Department of Agriculture to be clean, healthy and uncontaminated.

(h) Sprigs of Zoysia grass will produce a more satisfactory lawn than plugs.

2. Failing to clearly reveal that Amazoy and Green Beauty will not retain their green color during the period from the first killing frost until growth is resumed in the spring.

It is further ordered, That complaint be, and it hereby is, dismissed as to respondent Green Beauty Zoysia Company.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That the respondents Zoysia Farm Nurseries, Inc., a corporation, and Herbert L. Friedberg, Sidney M. Friedberg and Sylvia Friedberg Nachlas, individually and as officers of Zoysia Farm Nurseries, Inc., and R. Stuart Armiger, individually and as general manager of said corporation, shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with the order to cease and desist.

Issued: December 2, 1958.

By the Commission.

[SEAL] ROBERT M. PARRISH, *Secretary.*

[F.R. Doc. 59-579; Filed, Jan. 21, 1959; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter VII—Department of the Air Force

SUBCHAPTER J—AIR FORCE PROCUREMENT INSTRUCTIONS

PART 1053—CONTRACTS; GENERAL

Amendment

The Federal Register Document No. 58-1512 published at page 1508 for Saturday, March 1, 1958, is hereby corrected as follows:

In Part 1053, Subpart A—Miscellaneous Requirements, delete the chart and the paragraphs (b) through (d) appearing between §§ 1053.103–2 and 1053.103–4.

CHARLES M. MCDERMOTT,
Colonel, USAF, Deputy Director of Administrative Services.

[F.R. Doc. 59–592; Filed, Jan. 21, 1959; 8:49 a.m.]

Title 24—HOUSING AND HOUSING CREDIT

Chapter II — Federal Housing Administration, Housing and Home Finance Agency

SUBCHAPTER D—MULTIFAMILY AND GROUP HOUSING INSURANCE

PART 242—COOPERATIVE HOUSING INSURANCE; RIGHTS AND OBLIGATIONS OF MORTGAGEE UNDER INSURANCE CONTRACT; PROJECT MORTGAGES

Part 242 is amended to read as follows:

Sec.

242.1 Incorporation by reference.
242.2 Definitions.
242.3 Mortgage premiums upon initial endorsement.
242.4 Premiums where first principal payment more than one year after initial endorsement.
242.5 Premiums where first principal payment one year or less after initial endorsement.
242.6 Premiums; insurance upon completion.
242.7 Premiums for purchasing cooperatives.
242.8 Subsequent annual premiums.
242.9 Computation of subsequent annual premiums.
242.10 Allowable methods of premium payment.
242.11 Adjusted premium charge on prepayment of mortgage.
242.12 Amount of adjusted premium charge.
242.13 Where no adjusted premium charge is due.
242.14 Contract termination upon payment in full.
242.15 Refunds upon prepayment in full.
242.16 Form of endorsement.
242.17 Effect of insurance endorsement.
242.18 Notation after all advances made.
242.100 Effective date.

AUTHORITY: §§ 242.1 to 242.100 issued under sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply sec. 213, 64 Stat. 54, as amended; 12 U.S.C. 1715e.

§ 242.1 Incorporation by reference.

(a) All of the provisions of Part 233 of this subchapter covering mortgages insured under section 207 of the National Housing Act, apply with full force and effect to mortgages insured under section 213 of the National Housing Act, except the following provisions: §§ 233.1, 233.2, 233.3, 233.4, and 233.14.

(b) For the purposes of this part all references in Part 233 of this subchapter to section 207 of the National Housing Act shall be deemed to refer to section 213 of the Act.

§ 242.2 Definitions.

As used in this part:

(a) The term "Act" means the National Housing Act, as amended.

(b) The term "approved percentage" means 85 percent in the case of an investor sponsored project; 90 percent in the case of a non-veteran project; and 95 percent in the case of a veteran project.

(c) The term "Commissioner" means the Federal Housing Commissioner.

(d) The term "Contract of Insurance" means the agreement evidenced by endorsement of the credit instrument by the Commissioner or his duly authorized representative and includes the terms, conditions and provisions of this part and of the National Housing Act.

(e) The term "insured mortgage" means a mortgage which has been insured by the endorsement of the credit instrument by the Commissioner, or his duly authorized representative.

(f) The term "Investor Sponsored Project" means a project, the mortgagor of which is a private corporation, association or trust entity which has certified, in accordance with section 213(a)(3) of the National Housing Act, that it intends to sell such project to a nonprofit cooperative ownership housing corporation or trust qualifying as the mortgagor of a management type project.

(g) The term "Management Type Project" means a cooperative housing project of which the mortgagor is a nonprofit cooperative ownership housing corporation or trust, the permanent occupancy of the dwellings of which is restricted to the members of such corporation or to the beneficiaries of such trust.

(h) The term "Mortgage" means such a first lien upon real estate and other property as is commonly given to secure advances on, or the unpaid purchase price of, real estate under the laws of the State, district or territory in which the real estate is located, together with the credit instrument or instruments, if any, secured thereby.

(i) The term "Mortgagee" means the original lender under a mortgage, its successors and such of its assigns as are approved by the Commissioner, and includes the holders of the credit instruments issued under a trust mortgage or deed of trust pursuant to which such holders act by and through a trustee therein named.

(j) The term "Mortgagor" means the original borrower under a mortgage and its successors and such of its assigns as are approved by the Commissioner.

(k) The term "Project Mortgage" means a blanket mortgage insured under section 213 of the National Housing Act, covering a group of not less than eight single family dwellings.

(l) The term "Sales Type Project" means a nonprofit housing project of which the mortgagor is a nonprofit corporation or nonprofit trust organized for the purpose of construction of homes for members of the corporation or for beneficiaries of the trust.

(m) The term "Veteran" means a person who has served in the active military or naval service of the United States at any time on or after April 6, 1917, and prior to November 12, 1918, or on or after September 16, 1940, and prior to July 26, 1947, or on or after June 27, 1950, and prior to February 1, 1955.

(n) The term "Veteran Project" means a project, the mortgagor of which is a corporation or trust and at least 50 percent of the membership of the corporation or number of beneficiaries of the trust consists of veterans.

§ 242.3 Mortgage premiums upon initial endorsement.

(a) *Management and Sales Types and Investor Sponsored Projects.* The mortgagee, upon the initial endorsement of the mortgage for insurance, shall pay to the Commissioner a first mortgage insurance premium equal to one-half of one percent of the original face amount of the mortgage.

(b) *Purchasing cooperatives.* The provisions of paragraph (a) of this section do not apply to the mortgage of a purchasing nonprofit cooperative housing corporation or trust where such mortgage is endorsed for insurance pursuant to the sale of an Investor Sponsored Project to such purchasing nonprofit cooperative housing corporation or trust.

§ 242.4 Premiums where first principal payment more than one year after initial endorsement.

(a) *Management and Sales Types and Investor Sponsored Projects.* (1) If the date of the first principal payment is more than one year following the date of such initial insurance endorsement, the mortgagee, upon the anniversary of such insurance date, shall pay a second premium equal to one-half of one percent of the original face amount of the mortgage. On the date of the first principal payment, the mortgagee shall pay a third premium equal to one-half of one percent of the average outstanding principal obligation of the mortgage for the following year which shall be adjusted so as to accord with such date and so that the aggregate of the first, second and third premiums shall equal the sum of (i) one percent of the average outstanding principal obligation of the mortgage for the year following the date of initial insurance endorsement, and (ii) one-half of one percent per annum of the average outstanding principal obligation of the mortgage for the period from the first anniversary of the date of initial insurance endorsement to one year following the date of the first principal payment.

(2) If the date of the first principal payment of a mortgage is more than one year following the date of the initial insurance endorsement and the mortgage is paid in full prior to the date of such first principal payment, the first and second premiums collected shall be adjusted so that the aggregate of the two premiums shall equal the sum of (i) one percent of the average outstanding principal obligation of the mortgage for the year following the date of the initial insurance endorsement, and (ii) one-half of one percent per annum of the average outstanding principal obligation of the

mortgage for the period from the first anniversary of the date of initial endorsement to the date the mortgage was paid in full.

(b) *Purchasing cooperatives.* The provisions of paragraph (a) of this section do not apply to the mortgage of a purchasing nonprofit cooperative housing corporation or trust where such mortgage is endorsed for insurance pursuant to the sale of an Investor Sponsored Project to such purchasing nonprofit cooperative housing corporation or trust.

§ 242.5 Premiums where first principal payment one year or less after initial endorsement.

(a) *Management and Sales Types and Investor Sponsored Projects.* (1) If the date of the first principal payment is one year, or less than one year following the date of such initial insurance endorsement, the mortgagee, upon such first principal payment date, shall pay a second premium equal to one-half of one percent of the average outstanding principal obligation of the mortgage for the following year which shall be adjusted so as to accord with such date and so that the aggregate of the first and second premiums shall equal the sum of (i) one percent per annum of the average outstanding principal obligation of the mortgage for the period from the date of initial insurance endorsement to the date of first principal payment, and (ii) one-half of one percent of the average outstanding principal obligation of the mortgage for the year following the date of the first principal payment.

(2) If the date of the first principal payment of a mortgage is one year or less than one year following the date of the initial insurance endorsement and the mortgage is paid in full prior to the date of such first principal payment, the first and only premium collected shall be adjusted so that the total premium shall equal one percent per annum of the average outstanding principal obligation of the mortgage for the period from the date of initial insurance endorsement to the date the mortgage was paid in full.

(b) *Purchasing cooperatives.* The provision of paragraph (a) of this section do not apply to the mortgage of a purchasing nonprofit cooperative housing corporation or trust where such mortgage is endorsed for insurance pursuant to the sale of an Investor Sponsored Project to such purchasing nonprofit cooperative housing corporation or trust.

§ 242.6 Premiums; insurance upon completion.

(a) *Management and Sales Types and Investor Sponsored Projects.* (1) Where the mortgage is initially and finally endorsed for insurance pursuant to a Commitment to Insure Upon Completion, the mortgagee on the date of the first principal payment shall pay a second premium equal to one-half of one percent of the average outstanding principal obligation of the mortgage for the year following such first principal payment date which shall be adjusted so as to accord with such date and so that the aggregate of the first and second premiums shall equal the sum of one-half of one percent per annum of the average outstanding principal obligation of the mortgage for the period from the date of the insurance endorsement to one year following the date of the first principal payment.

(2) Where the mortgage is initially and finally endorsed for insurance pursuant to a Commitment to Insure Upon Completion and is paid in full prior to the date of the first principal payment, the first and only premium collected shall be adjusted so that the total premium shall equal one-half of one percent per annum of the average outstanding principal obligation of the mortgage for the period from the date of the insurance endorsement to the date the mortgage was paid in full.

(b) *Purchasing cooperatives.* The provisions of paragraph (a) of this section do not apply to the mortgage of a purchasing nonprofit cooperative housing corporation or trust where such mortgage is endorsed for insurance pursuant to the sale of an Investor Sponsored Project to such purchasing nonprofit cooperative housing corporation or trust.

§ 242.7 Premiums for purchasing cooperatives.

Where a mortgage is endorsed for insurance pursuant to the sale of an Investor Sponsored Project to a purchasing nonprofit cooperative housing corporation or trust, the mortgagee, on the date of the insurance endorsement, shall pay a first premium equal to one-half of one percent of the principal obligation of the mortgage for the period from the date of the insurance endorsement to one year following the date of the first principal payment. On the anniversary of the first principal payment this first premium shall be adjusted to equal one-half of one percent of the average outstanding principal obligation of the mortgage for the period from the date of the insurance endorsement to one year following the date of the first principal payment.

§ 242.8 Subsequent annual premiums.

Until the mortgage is paid in full, or until an application for debentures is received by the Commissioner or until the contract of insurance is otherwise terminated with the consent of the Commissioner, the mortgagee, on each anniversary of the date of the first principal payment shall pay an annual mortgage insurance premium equal to one-half of one percent of the average outstanding principal obligation of the mortgage for the year following the date on which such premium becomes payable.

§ 242.9 Computation of subsequent annual premiums.

The premiums payable on and after the date of the first principal payment shall be calculated in accordance with the amortization provisions without taking into account delinquent payments or prepayments.

§ 242.10 Allowable methods of premium payment.

Premiums shall be payable in cash or in debentures issued by the Commissioner against the Housing Insurance Fund under Title II of the Act at par plus accrued interest. All premiums are payable in advance and no refund can be made of any portion thereof except as hereinafter provided in this part.

§ 242.11 Adjusted premium charge on prepayment of mortgage.

(a) *Management Types, Investor Sponsored and Purchasing Cooperative Projects.* In the event that the principal obligation of any mortgage accepted for insurance is paid in full prior to maturity, the mortgagee shall, within thirty days thereafter, notify the Commissioner of the date of prepayment and shall pay to the Commissioner in the case of a mortgage prepaid within five years from the date of the initial endorsement for insurance, an adjusted premuim charge, in the nature of a prepayment premium, of two percent of the original face amount of the prepaid mortgage, and in the event the mortgage is prepaid after five years from the date of initial endorsement for insurance, an adjusted premium charge of one percent of the original face amount of the prepaid mortgage, except that if at the time of any such prepayment there is placed on the mortgaged property a new insured mortgage or mortgages in an amount less than the original principal amount of the mortgage, the adjusted premium charge provided above shall be based upon the difference between such amounts.

(b) *Sales Type Projects.* The provisions of paragraph (a) of this section do not apply to mortgages covering Sales Type Projects.

§ 242.12 Amount of adjusted premium charge.

(a) *Management Types, Investor Sponsored and Purchasing Cooperative Projects.* In no event shall the adjusted premium charge exceed the aggregate amount of premium charges which would have been payable if the mortgage had continued to be insured until maturity.

(b) *Sales Type Projects.* The provisions of paragraph (a) of this section do not apply to mortgages covering Sales Type Projects.

§ 242.13 Where no adjusted premium charge is due.

(a) *Management Types, Investor Sponsored and Purchasing Cooperative Projects.* No adjusted premium charge shall be due the Commissioner in the following cases:

(1) Where, at the time of payment in full, there is placed on the mortgaged property a new insured mortgage or mortgages for an amount equal to or greater than the original principal amount of the prepaid mortgage; or

(2) Where the final maturity specified in the mortgage is accelerated solely by reason of partial prepayments made by the mortgagor which do not exceed in any one calendar year 15 percent of the original face amount of the mortgage; or

(3) Where the final maturity specified in the mortgage is accelerated solely by reason of payments to principal to compensate for damage to the mortgaged property, or a release of a part of such property, if approved by the Commissioner; or

(4) Where payment in full is made of a delinquent mortgage on which foreclosure proceedings have been commenced, or for the purpose of avoiding foreclosure, if the Commissioner, in his discretion, agrees in writing to waive the payment thereof; or

(5) Where, at the time of payment in full, there is placed on the property a new insured mortgage or mortgages less than the original principal amount of the prepaid mortgage: *Provided,* That the Commissioner finds that the collection of such charge would be inequitable under the particular circumstances of the transaction.

(b) *Sales Type Projects.* The provisions of paragraph (a) of this section do not apply to mortgages covering Sales Type Projects.

§ 242.14 Contract termination upon payment in full.

In the event the principal obligation of any mortgage accepted for insurance is paid in full the contract of insurance shall terminate.

§ 242.15 Refunds upon prepayment in full.

(a) At the time of prepayment in full, the Commissioner will refund to the mortgagee for the account of the mortgagor an amount equal to the pro rata portion of the current annual mortgage insurance premium theretofore paid, which is applicable to the portion of the year subsequent to the prepayment.

(b) Where a mortgage covering an Investor Sponsored project is modified and consolidated with the mortgage of a purchasing nonprofit cooperative housing corporation or trust, it shall be deemed to be paid in full for purposes of this part as of the date of such modification and consolidation.

§ 242.16 Form of endorsement.

Upon compliance satisfactory to the Commissioner with the terms and conditions of his commitment to insure, the Commissioner shall endorse the original credit instrument in form as follows:

No. ------

Insured under section 213 of the National Housing Act and regulations thereunder of the Federal Housing Commissioner in effect on ---------- to the extent of advances approved by the Commissioner.

FEDERAL HOUSING COMMISSIONER
By ----------
(Authorized agent)
Date ----------

§ 242.17 Effect of insurance endorsement.

The mortgage shall be an insured mortgage from the date of endorsement. The Commissioner and the mortgagee shall thereafter be bound by this part with the same force and to the same extent as if a separate contract had been executed relating to the insured mortgage, including the provisions of this part and of the Act.

§ 242.18 Notation after all advances made.

After all advances under the mortgage have been made with the approval of the Commissioner, the Commissioner shall, upon presentation of original credit instrument, make a notation below the insurance endorsement in form as follows:

A total sum of $------ has been approved for insurance hereunder by the Commissioner.

FEDERAL HOUSING COMMISSIONER
By ----------
(Authorized agent)
Date ----------

§ 242.100 Effective date.

The provisions of this part shall be effective as to all mortgages with respect to which a commitment to insure is issued on or after September 10, 1954.

Issued at Washington, D.C., January 16, 1959.

[SEAL] NORMAN P. MASON,
Federal Housing Commissioner.

[F.R. Doc. 59-591; Filed, Jan. 21, 1959; 8:48 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart B—Veterans' Readjustment Assistance Act of 1952

MEASUREMENT OF FULL- OR PART-TIME COURSES

In § 21.2066(d)(1), subdivisions (ii) (*d*) and (iii) (*b*), (*e*) and (*f*) are amended to read as follows:

§ 21.2066 Measurement of full- or part-time courses.

* * * * *

(d) *Institutional undergraduate course recognized for credit toward a standard college degree.*

(1) * * *

(ii) * * *

(*d*) (*1*) The college or university furnishes letters from at least three institutions which are members of a nationally recognized accrediting association certifying that, (*i*) credits are received on transfer at full value, i.e., credit hour for credit hour, and that, (*ii*) at least 40 percent of the subjects within each curriculum, desired to be measured on a credit-hour basis, are acceptable in partial fulfillment of the requirements for a baccalaureate or higher degree, or,

(2) The president of the college or university will certify that the three institutions identified by him as members of a nationally recognized accrediting association will, (*i*) recognize credit received on transfer at full value, i.e., credit hour for credit hour, and that, (*ii*) at least 40 percent of the subjects within each curriculum, desired to be measured on a credit hour basis, are acceptable in partial fulfillment of the requirements for a baccalaureate or higher degree.

(iii) * * *

(*b*) The course does not lead to a degree, and

* * * * *

(*e*) If the institution, which offers the course, is a member of a nationally recognized accrediting association and certifies that:

(*1*) Credit for at least 40 percent of the subjects within the curriculum, desired to be measured on a credit-hour basis, is granted upon transfer to the element of the institution which offers a baccalaureate or higher degree, and,

(2) Credit is awarded at full value, i.e., credit hour for credit hour toward partial fulfillment of the requirements for a baccalaureate or higher degree.

(*f*) If the institution offering the course is not a member of a nationally recognized accrediting association but it furnishes a proper certification(s) as provided in subdivisions (ii) (*d*) (*1*) or (*2*) of this subparagraph.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective January 22, 1959.

[SEAL] A. H. MONK,
Assistant Deputy Administrator.

[F.R. Doc. 59-603; Filed, Jan. 21, 1959; 8:50 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER C—CARRIERS BY WATER

PART 301—REPORTS

Annual Report Form M (Maritime Carriers)

At a session of the Interstate Commerce Commission, divsion 2 held at its office in Washington, D.C., on the 9th day of January A.D. 1959.

It appearing that the matter of annual reports of carriers by water being under further consideration, and the changes to be effectuated by this order being minor changes in the data to be furnished, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 301.20 of the order of February 7, 1955, in the matter of Carriers by Water—Annual Report Form M, be, and it is hereby, modified and amended with respect to annual reports for the year ended December 31, 1958, and subsequent years, to read as shown below.

It is further ordered, That 49 CFR 301.20, be, and it is hereby, modified and amended to read as follows:

§ 301.20 Form prescribed for maritime carriers.

Commencing with the year ended December 31, 1958, and for subsequent years thereafter, until further order, all maritime carriers subject to section 313, Part III, of the Interstate Commerce Act, are required to file annual reports in accordance with Annual Report Form M

(Maritime Carriers),[1] which is attached hereto and made a part of this section. Such annual report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D.C., on or before March 31 of the year following the year to which it relates.

And it is further ordered, that copies of this order and of Annual Report Form M shall be served on all maritime carriers subject to the provisions of section 313, part III, of the Interstate Commerce Act, and upon every receiver, trustee, executor, administrator or assignee of any such maritime carrier, and that notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Federal Register Division.

(54 Stat. 933; 49 U.S.C. 904. Interpret or apply 54 Stat. 944, as amended, 49 U.S.C. 913)

By the Commission, Division 2.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-588; Filed, Jan. 21, 1959; 8:48 a.m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Montana 024336]

MONTANA

Notice of Filing of Plat of Survey and Order Providing for Opening of Public Lands

JANUARY 16, 1959.

1. A plat of survey of newly surveyed islands described below will be officially filed in the Land Office, Bureau of Land Management, 1245 North 29th Street, Billings, Montana, effective at 10:00 a.m., on February 2, 1959.

MONTANA PRINCIPAL MERIDIAN

T. 14 N., R. 55 E.,
Sec. 17, Lot 8.

The above described area totals 36.30 acres. It is a newly surveyed island located in the Yellowstone River approximately 15 miles southwest of Glendive, Montana. Approximately 15 acres of this island are covered with a growth of willows and cottonwood trees. The remainder of the island supports a stand of good quality native grasses. The island is not suitable for agricultural development, because of the dissected terrain.

T. 5 S., R. 42 E.,
Sec. 36, Lot 5.

The above described area totals 2.13 acres. It is a newly surveyed island located in the Tongue River about 25 miles south of Ashland, Montana. This tract is heavily overgrown with brush and supports a limited amount of forage for livestock and wildlife. The island is not suitable for agricultural development because of the small area involved.

2. No application for these lands will be allowed under the homestead, desert land, small tract, or any other non-mineral public land laws, unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

3. Subject to any existing valid rights and the requirements of the applicable laws, the two islands described above, are hereby opened to filing of applications and selections and locations in accordance with the following:

a. Applications and selections under the non-mineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager, Land Office, beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the Act of September 27, 1944 (58 Stat. 747; 43 U.S.C. 279-284, as amended), presented prior to 10:00 a.m., on March 10, 1959, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a.m., on June 9, 1959, will be governed by the time of filing.

(3) All valid applications and selections under the non-mineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the minerals leasing laws, presented prior to 10:00 a.m., on June 9, 1959, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

b. The lands will be open to location under the United States mining laws, beginning 10:00 a.m., on June 9, 1959. Persons claiming veteran's preference rights under Paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries regarding the lands shall be addressed to the State Supervisor, Bureau of Land Management, 1245 North 29th Street, Billings, Montana.

R. D. NIELSON, *State Supervisor.*

[F.R. Doc. 59-581; Filed, Jan. 21, 1959; 8:47 a.m.]

[1] Filed as part of original document.

[Montana 030903]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 14, 1959.

The Bureau of Reclamation, U.S. Department of the Interior, has filed an application, Serial Number M-030903 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, except for those forms of application which are permitted on Reclamation withdrawn lands. The applicant desires the land for flowage purposes in connection with the Tiber Reservoir of the Lower Marias Unit.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Montana.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MONTANA PRINCIPAL MERIDIAN

T. 30 N., R. 1 E.,
Sec. 15, NW¼SE¼.

R. D. NIELSON, *State Supervisor.*

[F.R. Doc. 59-582; Filed, Jan. 21, 1959; 8:47 a.m.]

[Montana 030861]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 15, 1959.

The State Supervisor, Montana State Office, Bureau of Land Management, U.S. Department of the Interior, has filed an application, Serial Number M–030861 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws, including the mining and mineral leasing laws. The applicant desires the land for administrative purposes for use as a radio antenna site.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Montana.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

MONTANA PRINCIPAL MERIDIAN

Beginning at the corner of sections 19, 20, 29 and 30, T. 17 N., R. 20 E., North 0°08' E., between sections 19 and 20, 19.11 chains distant to corner No. 4 of Tract 38 (B.L.M. Radio Site); Thence N. 0°08' E., on line 4–1 of Tract 38 and between Sections 19 and 20, 6.67 chains distant to corner No. 1 of Tract 38; thence N. 84°44' W., on line 1–2 of Tract 38, 5.70 chains distant to corner No. 2 of Tract 38, which is on line 16–1 of Tract 37 (Radar Withdrawal Site); thence S. 0°12' W., on line 2–3 of Tract 38, 6.67 chains distant to corner No. 3 of Tract 38, which is on line 16–1 of Tract 37; thence S. 34°44' E., on line 3–4 of Tract 38 and on the north side of the road right-of-way, 5.71 chains distant to corner No. 4 of Tract 38, heretofore described.

This subdivision, which will contain approximately 3.79 acres, is to be known as Tract 38, T. 17 N., R. 20 E., upon approval of an appropriate survey plat.

R. D. NIELSON,
State Supervisor.

[F.R. Doc. 59–583; Filed, Jan. 21, 1959; 8:47 a.m.]

[Document No. 198]

ARIZONA

Notice of Proposed Withdrawal and Reservation of Lands

The U.S. Forest Service has filed two applications with Serial Nos. AR–018628 and AR–019858, for the withdrawal of the lands as described below, from all forms of appropriation including the General Mining Laws, subject to existing valid claims.

The applicant desires the land for administrative site and recreation area.

For a period of 30 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Post Office Box 148, Phoenix, Arizona.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the applications are:

GILA AND SALT RIVER MERIDIAN, ARIZONA

COCONINO NATIONAL FOREST

Timber Administrative Site

AR–019858

T. 14 N., R. 11 E.,
Sec. 9: S½N½SE¼, S½SE¼.

Total area: 120 acres.

Lake View Picnic Area

AR–018628

T. 20 N., R. 8 E.,
Sec. 36: S½NE¼SE¼SE¼, NW¼SE¼SE¼, N½S½SE¼SE¼, NE¼SW¼SE¼, S½NW¼SW¼SE¼, N½SW¼SW¼SE¼, N½SE¼SW¼SE¼, S½N½SE¼SW¼, N½S½SE¼SW¼, N½SW¼SW¼, N½S½SW¼SW¼, S½SW¼NW¼SW¼.

Total area: 105.0 acres.

Dated: January 16, 1959.

E. I. ROWLAND,
State Supervisor.

[F.R. Doc. 59–584; Filed, Jan. 21, 1959; 8:47 a.m.]

ALASKA

Notice of Proposed Withdrawal and Reservation of Lands

The Department of the Army has filed an application, Serial Number F–014031 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and mineral leasing laws. The applicant desires the land for enlargement of terminal facilities in connection with the Haines-Fairbanks Products pipe line system.

For a period of sixty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, P.O. Box 1050, Fairbanks, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

TOK JUNCTION AREA

COPPER RIVER MERIDIAN

T. 18 N., R. 11 E.,
Sec. 12: S½NE¼, N½SE¼, N½N½N½S½SE¼.
T. 18 N., R. 12 E.,
Sec. 7: Lot 2, excepting the east 660 feet, Lot 3, excepting the east 660 feet.

Containing 202.35 acres, more or less.

RICHARD L. QUINTUS,
Operations Supervisor, Fairbanks.

[F.R. Doc. 59–589; Filed, Jan. 21, 1959; 8:48 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Stabilization Service

SUGAR BEETS

Amendment to Notice of Hearings on 1959 Crop Wages and Prices

Pursuant to the authority contained in subsections (c) (1) and (c) (2) of section 301 of the Sugar Act of 1948, as amended (61 Stat. 929; 7 U.S.C. Sup. 1131), and in accordance with the rules of practice and procedure applicable to wage and price proceedings (7 CFR 802.1 et seq.), the Notice of Hearings on 1959 Crop Sugar Beet Wages and Prices and Designation of Presiding Officers, issued December 30, 1958 (24 F.R. 68), is amended by deleting:

At Berkeley, California, January 30, 1959 in the Farm Credit Basement meeting room, 2180 Milvia Street, at 10:00 a.m.;

and substituting in lieu thereof:

At Berkeley, California, February 2, 1959, in the Farm Credit Basement meeting room, 2180 Milvia Street, at 10:00 a.m.

Issued this 19th day of January 1959.

[SEAL] LAWRENCE MYERS,
Director, Sugar Division, Commodity Stabilization Service.

[F.R. Doc. 59–604; Filed, Jan. 21, 1959; 8:51 a.m.]

DEPARTMENT OF COMMERCE

Office of the Secretary

RAYMOND E. HEBERT

Statement of Changes in Financial Interests

In accordance with the requirements of section 710(b) (6) of the Defense Production Act of 1950, as amended, and Executive Order 10647 of November 28, 1955, the following changes have taken place in my financial interests as reported in the FEDERAL REGISTER during the last six months.

A. Deletions: Eastman Kodak Co.
B. Additions: Sterling Precision Corp., Northwest Production Corp.

This statement is made as of January 11, 1959.

RAYMOND E. HEBERT.

JANUARY 11, 1959.

[F.R. Doc. 59–587: Filed, Jan. 21, 1959; 8:48 a.m.]

DEPARTMENT OF THE TREASURY

Coast Guard

[CGFR 59-1]

CONTINUANCE OF U.S. COAST GUARD LIFEBOAT STATION AT POINT REYES, CALIFORNIA

Public Hearing

1. The United States Coast Guard is reviewing the requirement for a lifeboat station at Point Reyes, California, or within that immediate vicinity, pursuant to Title 14, U.S. Code, section 93.

2. A public hearing on this matter will be held at 10 a.m., February 12, 1959, in Room 929, U.S. Appraisers Building, 630 Sansome Street, San Francisco, California, and will consider the need or necessity for a lifeboat station at Point Reyes, California, or within that immediate vicinity.

3. Interested parties are invited to attend or be represented at this hearing and full opportunity will be furnished for the expression of the various opinions of all concerned. Oral statements will be heard, but for completeness of record, all important facts should be submitted in writing at or before the hearing. It will be appreciated if interested parties will inform the Commander, 12th Coast Guard District, whether or not they will attend or will have representatives present, stating name and position in their organization (if any), and if time is desired to present oral statements. Any party desiring to place his views on record, if not able to attend or be represented, may submit a written statement for receipt at or prior to the time of hearing to the Commander, 12th Coast Guard District, 903 U.S. Appraisers Building, 630 Sansome Street, San Francisco 26, California.

Dated: January 16, 1959.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral, U.S. Coast Guard,
Acting Commandant.

[F.R. Doc. 59-601; Filed, Jan. 21, 1959; 9:00 a.m.]

Office of the Secretary

[Dept. Circ. 570, Rev. Apr. 20, 1943, 1959, Supp. 197]

CENTURY INDEMNITY CO. ET AL.

Termination of Authority To Qualify as Sureties on Federal Bonds

JANUARY 19, 1959.

Notice is hereby given that the Certificates of Authority issued by the Secretary of the Treasury to The Century Indemnity Company, Hartford, Connecticut, The World Fire and Marine Insurance Company, Hartford, Connecticut, and Standard Insurance Company of New York, New York, New York, under the provisions of the Act of Congress approved July 30, 1947 (U.S. Code, title 6, secs. 6–13), to qualify as sole sureties on recognizances, stipulations, bonds and undertakings permitted or required by the laws of the United States, have been terminated effective midnight December 31, 1958.

Pursuant to Agreement of Merger, effective midnight December 31, 1958, approved by the Insurance Commissioner of the State of Connecticut, October 29, 1958, and the Superintendent of Insurance of the State of New York, November 13, 1958, The Century Indemnity Company, Hartford, Connecticut, The World Fire and Marine Insurance Company, Hartford, Connecticut, and Standard Insurance Company of New York, New York, were merged into Aetna Insurance Company which is the surviving corporation. Aetna Insurance Company acquired all of the assets and assumed all of the liabilities of The Century Indemnity Company, The World Fire and Marine Insurance Company and Standard Insurance Company of New York. A copy of the agreement of merger certified by the Secretary of State of the State of Connecticut is on file in the Treasury.

Aetna Insurance Company, a Connecticut corporation, holds a certificate of authority from the Secretary of the Treasury as an acceptable surety on bonds in favor of the United States.

The merger of the companies will not affect the underwriting limitation of the surviving corporation, Aetna Insurance Company, which will remain at $6,469,000.00.

[SEAL] JULIAN B. BAIRD,
Acting Secretary of the Treasury.

[F.R. Doc. 59-602; Filed, Jan. 21, 1959; 8:50 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

Issuance to Various Industries

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 485 (23 F.R. 200) and Administrative Order No. 507 (23 F.R. 2720), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Ace Dress Co., Inc., Harrington, Del.; effective 1–8–59 to 1–7–60 (junior miss dresses).

Blue Bell, Inc., 626 South Elm Street, and West Lee and Fuller Streets, Greensboro, N.C.; effective 1–21–59 to 1–20–60 (misses', girls' and kiddies' sportswear).

C & J Manufacturing Co., R.F.D. 1 No. 5, Eastman, Ga.; effective 1–11–59 to 1–10–60 (boys' sport and dress shirts).

Custom Sportswear, Inc., 10th and Spring Streets, Reading, Pa.; effective 1–8–59 to 1–7–60 (knitted outerwear).

Elder Manufacturing Co., McLeansboro, Ill.; effective 1–9–59 to 1–8–60 (men's and boys' shirts).

J. Freezer & Son, Inc., Floyd, Va.; effective 1–9–59 to 1–8–60 (men's, boys' and ladies' shirts).

L & H Shirt Co., Cochran, Ga.; effective 1–10–59 to 1–9–60 (boys' dress and sport shirts).

Maxon Shirt Corp., 25 East Court Street, Greenville, S.C.; effective 1–9–59 to 1–8–60 (men's and boys' dress and sport shirts).

Mt. Airy Pants Factory, Mt. Airy, Md.; effective 1–23–59 to 1–22–60 (men's work pants).

Penn State Mills, Inc., Allentown, Pa.; effective 1–8–59 to 1–7–60 (polo shirts, underwear and nightwear).

Powellville Pants Factory, Powellville, Md.; effective 1–27–59 to 1–26–60 (men's work pants).

Reidbord Brothers Co., Blairton, Washington Township, Westmoreland County, Pa.; effective 1–20–59 to 1–19–60 (Air Force trousers).

Smith Brothers Manufacturing Co., St. Joseph, Mo.; effective 1–23–59 to 1–22–60 (men's overalls, coveralls, pants, work jackets; men's and boys' dungarees).

Soperton Manufacturing Co., Soperton, Ga.; effective 1–29–59 to 1–28–60 (shirts).

Southland Manufacturing Co., Inc., Benson, N.C.; effective 1–25–59 to 1–24–60 (men's and boys' sport shirts).

Swirl, Inc., Easley, S.C.; effective 1–13–59 to 1–12–60 (women's dresses).

Tennessee Overall Co., 401 North Atlantic Street, Tullahoma, Tenn.; effective 1–23–59 to 1–22–60 (men's pants).

Troutman Shirt Co., Inc., Mooresville, N.C.; effective 1–24–59 to 1–23–60 (work shirts and pants).

Wright Garment Co., Bowman, Ga.; effective 1–9–59 to 1–8–60 (boys' and youths' pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

R. Lowenbaum Manufacturing Co., 130 South Front Street, Mounds, Ill.; effective 1–9–59 to 1–8–60; five learners (junior dresses).

Smith Brothers Manufacturing Co., Lamar, Mo.; effective 1–23–59 to 1–22–60; 10 learners (men's and boys' dungarees and jackets).

Style-Rite Robes, Inc., 257 Winans Avenue, Hot Springs, Ark.; effective 1–12–59 to 1–11–60; 10 learners (men's and boys' robes).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Heath Springs Manufacturing Co., Heath Springs, S.C., effective 1–12–59 to 7–11–59; 15 learners (children's outerwear—jackets, slacks).

Mt. Vernon Corp., Mt. Vernon, Ga.; effective 1-7-59 to 7-6-59; 50 learners (women's outer garments).

The Raleigh Corp. (Smith County), Raleigh Miss.; effective 1-9-59 to 7-8-59; 50 learners (ladies' dungarees and slacks).

Statesboro Manufacturing Co. (Bulloch County); Statesboro, Ga.; effective 1-7-59 to 7-6-59; 50 learners (women's outer garments).

W. E. Stephens Manufacturing Co., Inc., Watertown, Tenn.; effective 1-12-59 to 7-11-59; 20 learners (men's work shirts; ladies' shorts, pedal pushers, etc.).

Style-Rite Robes, Inc., 257 Winans Avenue, Hot Springs, Ark.; effective 1-12-59 to 7-11-59; 25 learners (men's and boys' robes).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars Inc., Morgan Street, Selma, Ala.; effective 1-8-59 to 1-7-60; 10 percent of the total number of factory production workers for normal labor turnover purposes (cigars).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

Knoxville Glove Co., 819 McGhee Street, Knoxville, Tenn.; effective 1-15-59 to 1-14-60; 10 percent of the total number of machine stitchers for normal labor turnover purposes (cotton work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.43, as amended).

Durham Hosiery Mills, Plant No. 14, 109 South Corcoran Street, Durham, N.C.; effective 1-25-59 to 1-24-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (full-fashioned and seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11 as amended, and 29 CFR 522.30 to 522.35, as amended).

Shadowline, Inc., Morgantown, N.C.; effective 1-15-59 to 1-14-60; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's lingerie).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

The following learner certificates were issued in Puerto Rico and the Virgin Islands to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed are as indicated.

American Lead Products Corp., Bayamon, P.R.; effective 12-15-58 to 6-14-59; 24 learners for plant expansion purposes, in the occupation of lead die casting machine operators, for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (wheel weights).

Catherine Needle Craft, Inc., 60 Comercio Street, Mayaguez, P.R.; effective 12-19-58 to 12-18-59; 10 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

Consolidated Cigar Corp. of Puerto Rico, Caguas, P.R.; effective 12-18-58 to 6-24-59; 117 learners for normal labor turnover purposes in the occupations of: (1) cigar making, packing, each for a learning period of 320 hours at the rates of 65 cents an hour for the first 160 hours and 75 cents an hour for the remaining 160 hours; (2) sorting, selecting, sizing and tying, each for a learning period of 240 hours at the rate of 65 cents an hour; (3) machine stripping, inspectors, each for a learning period of 160 hours at the rate of 65 cents an hour (replacement certificate) (cigars).

Electric Wave Filters, Inc., Ceiba, P.R.; effective 12-15-58 to 12-14-59; five learners for normal labor turnover purposes in the occupation of coil winding and assembly work on electric wave filters for a learning period of 480 hours at the rates of 70 cents an hour for the first 240 hours and 80 cents an hour for the remaining 240 hours (electric wave filters).

Antonio Santisteban & Co., Inc., Arecibo, P.R.; effective 12-16-58 to 6-15-59; 60 learners for plant expansion purposes in the occupations of: (1) sewing machine operators, and final pressing, each for a learning period of 480 hours at the rates of 54 cents an hour for the first 240 hours and 63 cents an hour for the remaining 240 hours; (2) final inspection of fully assembled garment; and machine operations other than sewing machine, each for a learning period of 160 hours at the rate of 54 cents an hour (men's underwear).

Harvey Peters Limited, Inc., St. Thomas, V.I.; effective 12-18-58 to 12-17-59; five learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 320 hours at the rates of 45 cents an hour for the first 160 hours and 50 cents an hour for the remaining 160 hours (men's shirts and shorts).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D.C., this 14th day of January 1959.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F.R. Doc. 59-585; Filed, Jan. 21, 1959; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. SR-2301]

HERBERT T. ALLEN; SAFETY ENFORCEMENT

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958 that oral argument in the above-entitled proceeding is assigned to be held on February 11, 1959, at 10:00 a.m., e.s.t., in Room 5042, Department of Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C., before the Board. The Administrator has been allotted 30 minutes and the respondent 30 minutes to be presented in that order. The Administrator may reserve one-quarter of his allotted time for rebuttal.

Dated at Washington, D.C., January 19, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-605; Filed, Jan. 21, 1959; 8:51 a.m.]

[Docket No. 7149 et al.]

SERVICE TO SANTA CATALINA ISLAND

Notice of Oral Argument

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958 that oral argument in the above-entitled proceeding is assigned to be held on February 4, 1959, at 10:00 a.m., e.s.t., in Room 5042, Department of Commerce Building, 14th Street and Constitution Avenue NW., Washington, D.C., before the Board.

Dated at Washington, D.C., January 19, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-606; Filed, Jan. 21, 1959; 8:51 a.m.]

[Docket No. 9647]

TRANSPORTES AEREOS NACIONALES, S.A.

Notice of Hearing

In the matter of the application of Transportes Aereos Nacionales, S.A. for renewal and amendment of its foreign air carrier permit under section 402 of The Federal Aviation Act of 1958.

Notice is hereby given, pursuant to the provisions of The Federal Aviation Act of 1958, that a hearing in the above-entitled proceeding is assigned to be held on February 10, 1959, at 10:00 a.m., e.s.t., in Room 725, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Richard A. Walsh.

Without limiting the scope of the issues, particular attention will be directed to the question of whether the proposed renewal and amendment of the foreign air carrier permit of Transportes Aereos Nacionales is required by the public interest and whether Transportes Aereos Nacionales is fit, willing and able to perform the proposed foreign air transportation properly and to conform to the provisions of The Federal Aviation Act of 1958 and the rules, regulations and requirements of the Board thereunder.

For further details regarding the issues involved in this proceeding, interested parties are referred to the Examiner's report of prehearing conference served November 21, 1958, which is on file with the Docket Section of the Civil Aeronautics Board.

Notice is further given that any person other than parties of record desiring to be heard in this proceeding shall file with

the Board, on or before February 10, 1959, a statement setting forth the issues of fact or law which he desires to controvert.

Dated at Washington, D.C., January 19, 1959.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 59-607; Filed, Jan. 21, 1959; 8:51 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-17435]

NEMOURS CORP.

Order for Hearing Suspending Proposed Change in Rate and Allowing Increased Rate To Become Effective

JANUARY 15, 1959.

In the Order For Hearing, Suspending Proposed Change in Rate, and Allowing Increased Rate To Become Effective, issued January 9, 1959 and published in the FEDERAL REGISTER on January 16, 1959 (24 F.R.; 408-409), insert the two following paragraphs which were inadvertently omitted from the order as issued, following the paragraph which begins "The increased rate * * *":

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that Nemours' proposed increased rate be made effective as hereinafter provided and that Nemours be required to file an undertaking as hereinafter ordered and conditioned.

Also the words "The Commission finds" which precedes paragraph (A) should be corrected to read "The Commission orders".

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-572; Filed, Jan. 21, 1959; 8:45 a.m.]

[Docket No. G-15982]

MT. OLIVET NATURAL GAS CO.

Notice of Application and Date of Hearing

JANUARY 16, 1959.

Take notice that Mt. Olivet Natural Gas Company, Inc. (Applicant), a Kentucky corporation, having its principal place of business in Mt. Olivet, Robertson County, Kentucky, filed on August 13, 1958, an application, and on September 10, 1958 and October 9, 1958 supplements thereto, for an order, pursuant to section 7(a) of the Natural Gas Act, directing Kentucky Gas Transmission Corporation (Kentucky Gas), to establish physical connection of its transportation facilities with the proposed facilities of Applicant and to sell and deliver to Applicant natural gas for resale in the city of Mt. Olivet and the outlying districts of said city, all as more fully represented in the application, which is on file with the Commission and open for public inspection.

Applicant alleges that there are no other gas companies now rendering retail gas service in Robertson County, except service to residences connected to Kentucky Gas' line, where the transmission line is located on the residence property.

Applicant proposes to construct a 2-inch transmission line extending from a point of connection with Kentucky Gas' transmission line in Robertson County, approximately 3.4 miles in length to a proposed gas distribution system within the corporate limits of Mt. Olivet and outlying districts of the city.

Applicant estimates its gas requirements as follows:

Year of operation	Peak day (Mcf)	Annual (Mcf)
First	150	11,689
Second	172	15,567
Third	188	17,949
Fourth	195	19,984
Fifth	198	20,284
Sixth	202	22,271

The estimated cost of the proposed construction is $69,681. Of this amount $22,833 represents the estimated cost of the 2-inch transmission line; $35,323 represents the cost of the proposed distribution system in Mt. Olivet and $11,475 represents costs for rights-of-way, meters, engineering and supervision and resident supervision.

Applicant proposes to finance the project by the sale of 500 shares of capital stock with par value of $100 per share, totaling $50,000. Applicant has the right to issue an additional $25,000 worth of capital stock, if needed, or to negotiate a bank loan for the remaining $20,000. The Farmers and Traders Bank of Mt. Olivet, Inc., has agreed to loan applicant $20,000 to complete its financing for this project.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 12, 1959, at 10:00 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 9, 1959.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 59-573; Filed, Jan. 21, 1959; 8:45 a.m.]

[Docket No. G-15320]

TEXAS GAS TRANSMISSION CORP.

Notice of Application To Amend and Date of Hearing

JANUARY 16, 1959.

Take notice that Texas Gas Transmission Corporation (Applicant), a Delaware corporation with its principal place of business in Owensboro, Kentucky, filed an application on December 18, 1958, to amend the Commission's order issued October 24, 1958, in the Matters of MidSouth Gas Company, et al., Docket No. G-10591, et al., which authorized Applicant, in Docket No. G-15320, to construct and operate certain natural gas facilities for the sale and delivery of natural gas, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open to public inspection.

Applicant requests that the order heretofore issued by the Commission be amended to authorize the construction and operation of the following compressor units:

(1) One 2,000-horsepower compressor unit in lieu of one 1,320-hp. unit authorized to be installed at the existing Kenton, Tennessee, compressor station;

(2) One 2,000-horsepower compressor unit in lieu of two 1,320-hp. units authorized to be installed at the existing Calvert City, Kentucky, compressor station; and

(3) One 2,000-horsepower unit in lieu of one 1,320-hp. unit authorized to be installed at the existing Slaughters, Kentucky, compressor station.

A total of 6,000-horsepower would be installed at these stations in lieu of 5,280-horsepower authorized, or an increase of 720-horsepower.

The authorized units were estimated to cost a total of $1,898,174, as compared to the cost of $2,072,259 for the proposed units, or an increase of $174,085. Applicant states that this additional cost will be defrayed by means of retained earnings.

Applicant states that the installation of three 2,000-horsepower units in lieu of the four 1,320-hp. units will result in more efficient operation and savings in fuel and overhaul costs. Applicant estimates savings of $8,500 per year in fuel cost and $4,800 per year in overhaul cost.

The proposed 2,000-horsepower engines will not increase design system capacity over that heretofore authorized.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 17, 1959 at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by

such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 5, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-574; Filed, Jan. 21, 1959; 8:45 a.m.]

[Docket No. G-16160]

WASHINGTON GAS LIGHT CO. AND ATLANTIC SEABOARD CORP.

Notice of Application and Date of Hearing

JANUARY 16, 1959.

Take notice that on August 27, 1958, Washington Gas Light Company (Washington), a corporation of the District of Columbia and Virginia, having its principal place of business at 1100 H Street NW., Washington, D.C., and Atlantic Seaboard Corporation (Atlantic), a Delaware corporation and a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 1700 McCorkle Avenue SE, Charleston, West Virginia, filed a joint application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain emergency facilities, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Washington proposes to construct and operate approximately 0.29 miles of 23¾-inch pipeline extending in a southerly direction from a point on Atlantic's 26-inch pipeline approximately one-half mile east of Atlantic's Rockville metering station to Washington's Rockville storage station 24-inch inlet pipe and the necessary metering and regulating equipment at the Rockville storage station.

Atlantic proposes to construct and operate a tap and valve connection on Atlantic's existing 26-inch pipeline to connect with Washington's proposed pipeline.

It is estimated that the facilities which Washington proposes to construct will cost approximately $62,000, with operating expenses of approximately $500 per year. The estimated cost of the facilities proposed to be constructed by Atlantic will be $2,700, with operating expenses of approximately $20 per year. Each company will finance its construction from currently, available funds.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 16, 1959, at 9:30 a.m., e.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or to be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 4, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-575; Filed, Jan. 21, 1959; 8:46 a.m.]

[Docket No. G-16011]

NEW YORK STATE NATURAL GAS CORP. AND MANUFACTURERS LIGHT AND HEAT CO.

Notice of Application and Date of Hearing

JANUARY 16, 1959.

Take notice that on August 15, 1958, New York State Natural Gas Corporation (New York) a New York corporation, having its principal place of business at 2 Gateway Center, Pittsburgh 22, Pennsylvania, and The Manufacturers Light and Heat Company (Manufacturers), a Pennsylvania corporation, having its principal place of business at 800 Union Trust Building, Pittsburgh 19, Pennsylvania, filed a joint application and on September 15, and September 24, 1958, supplements thereto by New York and Manufacturers, respectively, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity to each applicant authorizing the exchange of natural gas in equal volumes involving production by New York in the Armagh Section of the Nolo Field, Indiana County, Pennsylvania, and production by Manufacturers in the Benezette Field, Elk County, and the Rockton Field, Clearfield County, Pennsylvania, all as more fully represented in the application, which is on file with the Commission and open for public inspection.

Applicants allege that the proposed exchange arrangement provides the most economical way for the parties to receive into their respective transmission systems the natural gas available from their respective production properties.

The following operating arrangement is proposed:

1. New York will construct whatever pipeline or pipelines are necessary to connect its well or wells in the Armagh Section of the Nolo Field to Manufacturers' 8-inch lateral line No. 12206 or to its field lines in said area and deliver natural gas to Manufacturers at said points. The initial connection will be made to Manufacturers' 8-inch lateral line No. 12206 in Buffington Township, Indiana County, Pennsylvania. Manufacturers will install and operate the measuring station or measuring stations at the point or points of connection for the purpose of measuring the natural gas delivered into its system.

2. Manufacturers will construct whatever pipeline or pipelines are necessary to connect its pipeline or pipelines in the Benezette and Rockton Fields with the pipeline or pipelines of New York and deliver natural gas to New York at said points, all of which shall be on the suction side of New York's Benezette or Rockton compression facilities. The initial connection will be made at the intersection of Manufacturers' 8-inch line No. 12056 with the pipeline of New York in Benezette Township, Elk County, Pennsylvania. New York will install and operate the measuring station or measuring stations at the point or points of connection for the purpose of measuring the natural gas delivered into its system.

Applicants allege that the exchange agreement herein proposed makes it possible for New York to save the construction of approximately 24 miles of pipeline which would be necessary to connect this production into its present transmission system. In order to receive the additional production into its system Manufacturers would require additional compression facilities in the Benezette Field.

The estimated total cost of New York's proposed facilities is $11,600. The estimated cost of Manufacturers' proposed facilities is $4,000. Both companies will finance said construction from funds on hand.

In the supplement filed September 15, 1958, the applicants request authority to install and operate the proposed facilities as the Commission "may find subject to its jurisdiction."

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 16, 1959, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.,

concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 4, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-576; Filed, Jan. 21, 1959; 8:46 a.m.]

[Docket Nos. G-14571, G-15428]

EDWIN L. COX ET AL.

Notice of Applications and Date of Hearing

JANUARY 16, 1959.

In the matters of Edwin L. Cox, Operator, Docket No. G-14571; Natural Gas Pipeline Company of America and Texoma Production Company, Docket No. G-15428.

Take notice that the following applications have been filed with the Federal Power Commission pursuant to section 7 of the Natural Gas Act:

On February 24, 1958, Edwin L. Cox (Cox), Operator, filed in Docket No. G-14571 an application for a certificate of public convenience and necessity authorizing a proposed sale of natural gas to Natural Gas Pipeline Company of America (Natural) produced from the Trimmel "A" unit in Beaver County, Oklahoma, to be made pursuant to a gas sales contract dated January 2, 1958, executed by and between Natural and Cox, et al.[1]

Cox lists each of the non-operating co-owners of the subject unit, together with their respective percentum of interest. Texoma Production Company (Texoma) is shown as owning 12.5 percent interest therein.

On July 7, 1958, Natural and Texoma filed in Docket No. G-15428 a joint application requesting authorization for (1) the abandonment by Texoma of certain facilities in Beaver County, Oklahoma, and the acquisition and operation by Natural of said facilities and (2) the abandonment of sales of natural gas by Texoma to Natural rendered through such facilities.

Texoma, a wholly owned subsidiary of Natural, makes two separate sales of gas to Natural. Natural proposes to acquire all of Texoma's interest in the leaseholds and properties relating to such sales and, upon such acquisition by Natural, Texoma proposes to abandon such sales. The foregoing applications are on file with the Commission and open to public inspection.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on February 25, 1959, at 9:30 a.m., e.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 10, 1959. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-577; Filed, Jan. 21, 1959; 8:46 a.m.]

[Docket No. G-17513]

SOUTH GEORGIA NATURAL GAS. CO.

Order Providing for Hearing and Suspending Proposed Revised Tariff Sheets

JANUARY 16, 1959.

South Georgia Natural Gas Company (South Georgia), on December 19, 1958, tendered for filing Original Sheet No. 5-A, First Revised Sheets Nos. 8, 12, 18 and 19, and Second Revised Sheets Nos. 5, 7 and 10 to its FPC Gas Tariff, Original Volume No. 1, proposed to become effective on January 1, 1959. South Georgia requests waiver of the statutory notice requirements.

The nature of the proposed changes in South Georgia's presently effective tariff[1] is to extend the presently effective unauthorized overrun penalty charge of $3.00, contained in the Rate Schedule G-2, so as to become a uniform overrun charge under each of the company's rate schedules. Provision is made for refunding of such overrun charges if: (1) South Georgia obtains a waiver or refund of overrun charges from its sole supplier, Southern Natural Gas Company (Southern Natural), (2) South Georgia's ability to serve its customers up to the maximum daily quantity of each has not been affected, and (3) the overruns have not been of such frequency as to show, in Seller's opinion, that Buyer has not made a bona fide attempt to avoid overruns. The proposed overrun penalty terms are substantially similar to the terms of Southern Natural's rate schedule under which South Georgia buys its supply of gas.

The effect of the proposed changes on South Georgia's Rate Schedules is to provide a penalty where none existed before in the case of Rate Schedule G-1; to continue the same $3.00 penalty in Rate Schedule G-2 but to provide for waiver where none presently exists; to replace Rate Schedule I-1 overrun provisions for a 54 cents per Mcf charge and for proportionate sharing of any overrun charges paid by the company to Southern Natural; and to replace Rate Schedule I-2 provisions for such proportionate sharing of overrun charges paid by the company to Southern Natural.

In support of its proposed revised tariff sheets South Georgia states that it is essential to the proper operation of its system that its customers take no more than their maximum daily quantities. In opposition to the proposed changes, the Georgia Public Service Commission and the Gas Section of the Georgia Municipal Association and certain of South Georgia's customer companies request that the matter be set for hearing and that the revised tariff sheets be suspended. They contend that no emergency has been shown, and that there will be a potential adverse effect upon South Georgia's customers. It appears that the proposed changes should be made subject of investigation and hearing. Furthermore, no adequate justification has been shown for a waiver of the statutory notice provisions, the basic facts alleged having been known and available since last spring.

The increased rates and charges and the amended rate schedules and revised sheets, as tendered for filing on December 19, 1958, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing concerning the lawfulness of the rates, charges, classifications, and services contained in South Georgia's FPC Gas Tariff, Original Volume No. 1, as proposed to be changed by the revised sheets tendered for filing on December 19, 1958; and that said revised tariff sheets be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of

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[1] Et al., parties are the Ohio Oil Company, the Carter Oil Company, Bradley Producing Corporation, Skelly Oil Company and Texoma Production Company.

[1] Presently effective Tariff subject to hearing and refund in Docket No. G-13550.

practice and procedure, and regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the rates, charges, classifications and services contained in South Georgia's FPC Gas Tariff, Original Volume No. 1, as proposed to be changed by the aforesaid sheets tendered for filing on December 19, 1958.

(B) Pending such hearing and decision thereon, South Georgia's proposed Original Sheet No. 5-A, First Revised Sheets Nos. 8, 12, 18 and 19, and Second Revised Sheets Nos. 5, 7 and 10 to its FPC Gas Tariff, Original Volume No. 1, are hereby suspended and the use thereof deferred until January 20, 1959, and until such further time as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-593; Filed, Jan. 21, 1959; 8:49 a.m.]

[Docket No. G-17533]

CYPRUS OIL CO. ET AL.

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Changed Rate To Become Effective

JANUARY 16, 1959.

Cyprus Oil Company (Operator) et al. (Cyprus) on December 19, 1958, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Transcontinental Gas Pipe Line Corporation.
Rate schedule designation: Supplement No. 4 to Cyprus' FPC Gas Rate Schedule No. 2.
Effective date: January 19, 1959 (effective date is the first day following statutory notice).

In support of the proposed rate and charge, Cyprus has interpreted the tax provisions of the aforementioned rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Cyprus received for the Louisiana gathering tax. The interpretation appears to be questionable and should be determined after hearing.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

[1] Present rate is currently in effect subject to refund in Docket No. G-15620.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that the proposed rate be made effective as hereinafter provided and that Cyprus be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charge contained in Supplement No. 4 to Cyprus' FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 20, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 20, 1959: *Provided, however,* That within 20 days from the date of this order, Cyprus shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Cyprus shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Cyprus until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid, and shall report (Original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Cyprus so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the changed rate allowed by this order becomes effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Cyprus shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, as follows:

Agreement and Undertaking of Cyprus Oil Company To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Changes

In conformity with the requirements of the order issued _____, in Docket No. (date) G-17533, Cyprus Oil Company hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and for that purpose has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this _____ day of _____.

By _____

Attest:

_____

As a further condition of this order, Cyprus shall file with said agreement and undertaking a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Cyprus is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Cyprus shall, in conformity with the terms and conditions of paragraph (D) of this order made the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-594; Filed, Jan. 21, 1959; 8:49 a.m.]

[Docket No. G-17541]

PURE OIL CO.

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Changed Rate To Become Effective

JANUARY 16, 1959.

The Pure Oil Company (Pure) on December 19, 1958, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing:

[1] Rate is currently in effect subject to refund in Docket No. G-15582.

Description: Notice of Change, undated.
Purchaser: Transcontinental Gas Pipe Line Corporation.
Rate schedule designation: Supplement No. 2 to Pure's FPC Gas Rate Schedule No. 33.
Effective date: January 19, 1959 (effective date is the first day following statutory notice).

In support of the proposed rate and charge, Pure has interpreted the tax provisions of the aforementioned rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Pure received for the Louisiana gathering tax. This interpretation appears to be questionable and should be determined after hearing. Further, it is noted that part of the gas involved is low pressure gas subject to a total severance tax of 1.3¢ per Mcf, in which case Pure files for 100 percent of the increase in severance tax.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that the proposed rate be made effective as hereinafter provided and that Pure be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charge contained in Supplement No. 2 to Pure's FPC Gas Rate Schedule No. 33.

(B) Pending such hearing and decision thereon, said supplement be and it hereby is suspended and the use thereof deferred until January 20, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 20, 1959: *Provided, however,* That within 20 days from the date of this order, Pure shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Pure shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Pure until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Pure so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the changed rate allowed by this order becomes effective, and under the rates allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Pure shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, as follows:

Agreement and Undertaking of the Pure Oil Company To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Change

In conformity with the requirements of the order issued _____, in Docket No. G–17541, the Pure Oil Company hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this _____ day of _____.

Attest:

_____

THE PURE OIL COMPANY

By _____

As a further condition of this order, Pure shall file with said agreement and undertaking a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Pure is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Pure shall, in conformity with the terms and conditions of paragraph (D) of this order make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-595; Filed, Jan. 21, 1959; 8:50 a.m.]

[Docket No. G–17542]

PURE OIL CO.

Order for Hearing, Suspending Proposed Change in Rate, and Allowing Changed Rate To Become Effective

JANUARY 16, 1959.

The Pure Oil Company (Pure) on December 19, 1958, tendered for filing a proposed change in its presently effective rate schedule [1] for sales of natural gas subject to the jurisdiction of the Commission. The proposed change is contained in the following designated filing:

Description: Notice of Change, undated.
Purchaser: Magnolia Petroleum Company.
Rate schedule designation: Supplement No. 33 to Pure's FPC Gas Rate Schedule No. 11.
Effective date: January 19, 1959 (effective date is the first day following statutory notice).

In support of the proposed rate and charge, Pure has interpreted the tax provisions of the aforementioned rate schedule to the effect that the tax reimbursement for the increase in the Louisiana severance tax will be at the same reimbursement level that Pure received for the Louisiana gathering tax. This interpretation appears to be questionable and should be determined after hearing. Further, it is noted that part of the gas involved is low pressure gas subject to a total severance tax of 1.3¢ per Mcf in which case Pure files for 100 percent of the increase in severance tax.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that the proposed rate be made effective as hereinafter provided and that Pure be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4

[1] Rates are currently in effect subject to refund in Docket Nos. G–14050 and G–16805.

and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charge contained in Supplement No. 33 to Pure's FPC Gas Rate Schedule No. 11.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until January 20, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 20, 1959: *Provided, however,* That within 20 days from the date of this order, Pure shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Pure shall refund at such times and in such amounts to the persons entitled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rates found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the date of payment to Pure until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid, and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Pure so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the changed rate allowed by this order becomes effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As a condition of this order, within 20 days from the date of issuance thereof, Pure shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) hereof, as follows:

Agreement and Undertaking of the Pure Oil Company To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Change

In conformity with the requirements of the order issued _____, in Docket No. (Date)
G-17542, the Pure Oil Company hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and for that purpose has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this _____ day of _____.

By _____
Attest:
_____

As a further condition of this order, Pure shall file with said agreement and undertaking a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Pure is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Pure shall, in conformity with the terms and conditions of paragraph (D) of this order make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-596; Filed, Jan. 21, 1959; 8:50 a.m.]

[Docket No. G-17523]

SINCLAIR OIL & GAS CO. ET AL.

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 16, 1959.

Sinclair Oil & Gas Company et al. (Sinclair) on December 18, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 15, 1958.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: Supplement No. 10 to Sinclair's FPC Gas Rate Schedule No. 67.

Effective date: January 18, 1959 (effective date is that proposed by Sinclair).

In support of this renegotiated rate increase, Sinclair cites the redetermination clause in its contract and states the proposed rate change will not result in an excessive rate of return to Sinclair.

The increased rate and charge so proposed has not been shown to be just, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the proposed change, and that Supplement No. 10 to Sinclair's FPC Gas Rate Schedule No. 67 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing shall be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 10 to Sinclair's FPC Gas Rate Schedule No. 67.

(B) Pending the hearing and decision thereon, the supplement is suspended and the use thereof deferred until June 18, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-597; Filed, Jan. 21, 1959; 8:50 a.m.]

[Docket No. G-17524]

SUNRAY MID-CONTINENT OIL CO.

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 16, 1959.

Sunray Mid-Continent Oil Co. (Sunray), on December 18, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 5, 1958.

Purchaser: Colorado Interstate Gas Company.

Rate schedule designation: Supplement No. 7 to Sunray's FPC Gas Rate Schedule No. 116.

Effective date: January 18, 1959 (effective date is the first day after expiration of the required 30 days' notice).

In support of the proposed periodic rate increase, Sunray states that the

contract was negotiated at arm's length, that the pricing provisions thereof were an important consideration to Sunray to enter into the contract.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 7 to Sunray's FPC Gas Rate Schedule No. 116 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 7 to Sunray's FPC Gas Rate Schedule No. 116.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until June 18, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested state commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-598; Filed, Jan. 21, 1959; 8:50 a.m.]

[Docket No. G-17525]

SHELL OIL CO.

Order for Hearing and Suspending Proposed Change in Rate

JANUARY 16, 1959.

Shell Oil Company (Shell) on December 15, 1958, tendered for filing a proposed change in its presently effective rate schedule for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, December 11, 1958.

Purchaser: Kansas-Nebraska Natural Gas Company, Inc.

Rate schedule designation: Supplement No. 6 to Shell's FPC Gas Rate Schedule No. 89.

Effective date: February 1, 1959 (effective date is that proposed by Shell).

In support of the proposed increase, Shell states that this increase is provided for in their contract which resulted from arm's-length negotiations and constituted essential inducement for it to enter into the long-term contract.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 6 to Shell's FPC Gas Rate Schedule No. 89 be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in Supplement No. 6 to Shell's FPC Gas Rate Schedule No. 89.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until July 1, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

(D) Interested state commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37 (f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-599; Filed, Jan. 21, 1959; 8:50 a.m.]

[Docket No. G-17543]

HUNTER CO., INC.

Order for Hearing and Suspending Proposed Change in Rate, and Allowing Changed Rate To Become Effective

JANUARY 16, 1959.

The Hunter Company, Inc. (Hunter) on December 17, 1958, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission.[1] The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated December 15, 1958.

Purchaser: Southern Natural Gas Company (Southern).

Rate schedule designation: Supplement No. 4 to Hunter's FPC Gas Rate Schedule No. 1.

Effective date: January 17, 1959 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed rate and charge, Hunter, without explicit explanation, bases the proposed increase on its interpretation of the tax provisions of the rate schedule. Southern does not agree with the interpretation. Hunter's interpretation of the contract tax provision appears to be questionable and should be determined after hearing.

The changed rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

The Commission finds:

(1) It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

(2) It is necessary and proper in the public interest in carrying out the provisions of the Natural Gas Act that the proposed rate be made effective as hereinafter provided and that Hunter be required to file an undertaking as hereinafter ordered and conditioned.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed rate and charge contained in Supplement No. 4 to Hunter's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it hereby is suspended and the use thereof deferred until January 18, 1959, and thereafter until such further time as it is made effective in the manner hereinafter prescribed.

(C) The rate, charge and classification set forth in the above-designated supplement shall be effective on January 18, 1959: *Provided, however,* That within 20 days from the date of this order, Hunter shall execute and file with the Secretary of the Commission the agreement and undertaking described in paragraph (E) below.

(D) Hunter shall refund at such times and in such amounts to the persons en-

[1] Present rates are in effect subject to refund in Docket No. G-15727.

titled thereto, and in such manner as may be required by final order of the Commission, the portion of the increased rate found by the Commission in this proceeding not justified, together with interest thereon at the rate of six percent per annum from the day of payment until refunded; shall bear all costs of any such refunding; shall keep accurate accounts in detail of all amounts received by reason of the changed rate or charge allowed by this order to become effective, for each billing period, specifying by whom and in whose behalf such amounts were paid; and shall report (original and one copy), in writing and under oath, to the Commission monthly, or quarterly if Hunter so elects, for each billing period, and for each purchaser, the billing determinants of natural gas sales to such purchasers and the revenues resulting therefrom, as computed under the rates in effect immediately prior to the date upon which the changed rate allowed by this order becomes effective, and under the rate allowed by this order to become effective, together with the differences in the revenues so computed.

(E) As provided in paragraph (C) of the order, Hunter, within 20 days from the date of issuance thereof, shall execute and file in triplicate with the Secretary of this Commission its written agreement and undertaking to comply with the terms of paragraph (D) thereof, signed by a responsible officer and evidenced by proper authority from the board of directors, as follows:

Agreement and Undertaking of The Hunter Company, Inc. To Comply With the Terms and Conditions of Paragraph (D) of Federal Power Commission's Order Making Effective Proposed Rate Change

In conformity with the requirements of the order issued ----------, in Docket No. G-17543, The Hunter Company, Inc., hereby agrees and undertakes to comply with the terms and conditions of paragraph (D) of said order, and has caused this agreement and undertaking to be executed and sealed in its name by its officers, thereupon duly authorized in accordance with the terms of the resolution of its board of directors, a certified copy of which is appended hereto this ------ day of ----------.

THE HUNTER COMPANY, INC.

By ----------

Attest:

As a further condition of this order, Hunter shall file with said agreement and undertaking a certificate showing service of copies thereof upon all purchasers under the rate schedule involved.

Unless Hunter is advised to the contrary within 15 days after the date of filing such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

(F) If Hunter shall, in conformity with the terms and conditions of paragraph (D) of this order make the refunds as may be required by order of the Commission, the undertaking shall be discharged; otherwise, it shall remain in full force and effect.

(G) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until the period of suspension has expired, unless otherwise ordered by the Commission.

(H) Interested State commissions may participate as provided by §§ 1.8 and 1.37(f) of the Commission's rules of practice and procedure (18 CFR 1.8 and 1.37(f)).

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F.R. Doc. 59-600; Filed, Jan. 21, 1959; 8:50 a.m.]

OFFICE OF CIVIL AND DEFENSE MOBILIZATION

OSCAR F. RENZ

Appointee's Statement of Changes in Business Interests

The following statement lists the names of concerns required by subsection 710(b)(6) of the Defense Production Act of 1950, as amended.

No changes since last report, published June 28, 1958 (23 F.R. 4822).

Dated: December 11, 1958.

OSCAR F. RENZ.

[F.R. Doc. 59-571; Filed, Jan. 21, 1959; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 1]

APPLICATIONS FOR MOTOR CARRIER "GRANDFATHER" CERTIFICATE OR PERMIT

JANUARY 16, 1959.

The following applications and certain other procedural matters relating thereto are filed under the "grandfather" clause of section 7(c) of the Transportation Act of 1958. These matters are governed by Special Rule § 1.243 published in the FEDERAL REGISTER issue of January 8, 1959, page 205, which provide, among other things, that this publication constitutes the only notice to interested persons of filing that will be given; that appropriate protests to an application (consisting of an original and six copies each) must be filed with the Commission in Washington, D.C., within 30 days from the date of this publication; that failure to so file seasonably will be construed as a waiver of opposition and participation in such proceeding, regardless of whether or not an oral hearing is held in the matter; and that a copy of the protest also shall be served upon applicant's representative (or applicant, if no practitioner representing him is named in the notice of filing).

No. MC 7746 (Sub No. 95), filed December 8, 1958. Applicant: UNITED TRUCK LINES, INC., East 915 Springfield Avenue, Spokane 2, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans, tea, bananas, hemp, wool imported from any foreign country, wool tops and noils* and *wool waste* (carded, spun, woven, or knitted), between points in Washington, Idaho, Oregon, California, and Montana.

No. MC 30092 (Sub No. 8), filed December 5, 1958. Applicant: HERRETT TRUCKING COMPANY, INC., P. O. Box 539, Sunnyside, Wash. Applicant's attorney: George H. Hart, Central Building, Seattle 4, Wash. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries* and *frozen vegetables*, from points in Washington, to points in Oregon, Idaho, Washington, and California, and Ports of Entry on the boundary between the United States and Canada in Idaho and Washington.

NOTE: Applicant states that Gem Equipment Co., Inc., Sunnyside, Wash., have common officers, etc., with it; that Gem operates occasionally as a common carrier of exempt commodities in interstate commerce and is subject to the safety regulations of the Interstate Commerce Act.

No. MC 30319 (Sub No. 96), filed October 16, 1958. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY, a Corporation, 810 North San Jacinto Street, P.O. Box 4054, Houston, Tex. Applicant's attorney: Edwin N. Bell, Esperson Building, Houston 2, Tex. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee beans* and *tea*, from points in Texas, to points in Louisiana and Texas. Applicant is authorized to conduct operations in Louisiana and Texas.

NOTE: Dual operations or common control may be involved.

No. MC 30451 (Sub No. 19), filed October 22, 1958. Applicant: THE LUPER TRANSPORTATION COMPANY, a Corporation, 404 East 21st Street, Wichita 2, Kans. Applicant's attorney: James F. Miller, 500 Board of Trade Building, Kansas City 5, Mo. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Coffee beans, tea,* and *bananas,* from Galveston, Houston, and El Paso, Tex., and New Orleans, La., to Oklahoma City, Okla., Wichita, Kan., and Kansas City, Mo., and *frozen fruits* and *frozen vegetables*, from Wichita, Kans., to Amarillo and Dallas, Tex., Little Rock, Ark., New Orleans, La., and Oklahoma City and Tulsa, Okla.

No. MC 56244 (Sub No. 21), filed October 23, 1958. Applicant: KUHN TRANSPORTATION COMPANY, INC., Route 2, Gardners, Pa. Applicant's attorney: John M. Musselman, State Street Building, Harrisburg, Pa. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits* and *frozen berries*, from points in Michigan and Illinois to points in Adams County, Pa. Applicant is authorized to conduct operations in Pennsylvania, Maryland, New York, New

Jersey, Kentucky, Indiana, Illinois, Ohio, West Virginia, Virginia, Missouri, Iowa, and Michigan.

No. MC 60612 (Sub No. 11), filed November 21, 1958. Applicant: SAMUEL TISCHLER, Morton Avenue, Rosenhayn, N.J. Applicant's representative: Charles H. Trayford, 155 East 40th Street, New York 16, N.Y. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries*, and *frozen vegetables*, from points in New Jersey to points in New York.

No. MC 61471 (Sub No. 10), filed December 3, 1958. Applicant: BENJAMIN MOTOR EXPRESS, INC., 2–32 Vine Street, Everett, Mass. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen berries, cocoa beans, coffee beans*, and *bananas*, between points in the New York, N.Y., Commercial Zone, points in the Boston, Mass., Commercial Zone, points in the Baltimore, Md., Commercial Zone, all as defined by the Commission, Lawrence Walpole, and Mansfield, Mass., and Cranston, R.I.

No. MC 73262 (Sub No. 12), filed October 27, 1958. Applicant: MERCHANTS FREIGHT SYSTEM, INC., 1401 North 13th Street, Terre Haute, Ind. Applicant's attorney: Howell Ellis, 520 Illinois Building, Indianapolis, Ind. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits* and *frozen berries*, from Benton Harbor, Decatur, Hart, and Sodus, Mich., Buffalo, Dundee, Dunkirk, Fredonia, Mediana, North Collins, Ontario, and Webster, N.Y. and Erie, Pa., to Terre Haute, Ind.

No. MC 74846 (Sub No. 45), filed October 23, 1958. Applicant: LEWIS G. JOHNSON, P.O. Box 135, Newark, N.Y. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits* and *frozen vegetables*, between points in Wayne, Monroe, Ontario, Genesee, Oswego, Yates, Chautauqua, Erie, Orleans, Niagara, Cattaraugus, and Cayuga Counties, N.Y., and New York, N.Y., Washington, D.C., and points in Orange, Rockland, Westchester, Nassau, and Suffolk Counties, N.Y., and those in Passaic, Bergen, Hudson, Essex, Union, and Middlesex Counties, N.J.

NOTE: Applicant states he presently has authority to transport frozen fruits and vegetables in the same general territory.

No. MC 78786 (Sub No. 214), filed December 2, 1958. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a California corporation, 65 Market Street, San Francisco 5, Calif. Applicant's attorney: William Meinhold, same address as applicant. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, coffee beans, tea* and *bananas*, from points in Oregon, California, and Texas to points in California and Arizona.

No. MC 82492 (Sub No. 11), filed December 10, 1958. Applicant: WILLIAM J. HANDS, doing business as MICHIGAN & NEBRASKA TRANSIT CO., 900 Monroe Avenue NW., Grand Rapids 2, Mich. Applicant's attorney: L. F. Richardson, Michigan National Tower, Lansing 8, Mich. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries* and *frozen vegetables*, from points in Michigan, to points in Iowa, Nebraska, and those in Minnesota on and south of U.S. Highway 14.

No. MC 87207 (Sub No. 5), filed October 7, 1958. Applicant: HARRY McKENZIE TRUCKING CO., a corporation, 6446 East Saginaw Avenue, Selma, Calif. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coffee beans*, from points in the San Francisco and Los Angeles Harbors, Calif., to Fresno, Calif. Applicant is authorized to conduct operations in California.

No. MC 91306 (Sub No. 8), filed November 26, 1958. Applicant: JOHNSON BROTHERS TRUCKERS, INC., P.O. Box 189, Elkin, N.C. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wool* imported from any foreign country, from Norfolk, Va., to Elkin, N.C.

No. MC–94201 (Sub-No. 39), filed December 4, 1958. Applicant: BOWMAN TRANSPORTATION, INC., 1010 Stroud Avenue, East Gadsden, Ala. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier* by motor vehicle, over irregular routes, transporting: (1) *Frozen berries*, between Dayton, and Memphis, Tenn., and Atlanta, Ga.; (2) *coffee beans*, between Birmingham, Ala., Jacksonville, Fla., and Chattanooga, Tenn.; (3) *tea*, between Birmingham, Ala., Memphis, and Chattanooga, Tenn., and Richmond, Va.; (4) *bananas*, between New Orleans, La., and Chattanooga, Tenn.

No. MC 94265 (Sub No. 65), filed December 10, 1958. Applicant: BONNEY MOTOR EXPRESS, INC., Military Highway, P.O. Box 4057, Broad Creek Station, Norfolk, Va. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington, D.C. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables* and *bananas*, between points in Virginia, Michigan, Nebraska, Maryland, New Jersey, Pennsylvania, New York, Illinois, South Carolina, and Tennessee on the one hand, and, on the other, points in Virginia, Maryland, New York, Florida, Ohio, Nebraska, Wisconsin, Kentucky, Kansas, Michigan, Illinois, Missouri, Indiana, and Iowa.

No. MC 95540 (Sub No. 298), filed December 8, 1958. Applicant: WATKINS MOTOR LINES, INC., Cassidy Road, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables* and *bananas*, (1) from points in Alabama, Florida, Georgia, Louisiana, and South Carolina to points in Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina, Tennessee, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, Delaware, Maryland, New Jersey, New York, Pennsylvania, Virginia, West Virginia, District of Columbia, Arkansas, Louisiana, Oklahoma, Texas, Arizona, California, and New Mexico; (2) from points in Delaware, Maryland, New Jersey, New York, Pennsylvania and Virginia to points in Alabama, Florida, Georgia, Mississippi, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, North Carolina, Arkansas, Louisiana, Oklahoma, South Carolina, Texas, Wisconsin, Arizona, California, and New Mexico; (3) from points in Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, Ohio and Wisconsin to points in Alabama, Florida, Georgia, Louisiana, Mississippi, and South Carolina; (4) from points in Arizona, California, and New Mexico to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, Tennessee, Virginia, West Virginia, Louisiana, Texas, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, and Wisconsin; (5) from points in Arkansas and Texas to points in Alabama, Florida, Georgia, South Carolina, Illinois, Indiana, Iowa, Kansas, Minnesota, Missouri, Nebraska, Ohio, Wisconsin, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, District of Columbia, and California.

No. MC 96324 (Sub No. 3), filed December 1, 1958. Applicant: GENERAL DELIVERY, INC., 36 East Grafton Road, P.O. Box 1816, Fairmont, W. Va. Applicant's attorney: John C. White, 400 Union Building, Charleston 1, W. Va. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables* and *bananas*, from Wayland and New York, N.Y., Weehawken, N.J., Baltimore, Md., and Philadelphia, Pa., to points in West Virginia, Ohio, Pennsylvania and Kentucky.

No. MC 108696 (Sub No. 5), filed December 9, 1958. Applicant: JACOB A. TIGELAAR, ADA TIGELAAR, HENRY J. DeWEERD and CORNELIA DeWEERD; doing business as TIGELAAR & DeWEERD, Box 145, Hudsonville, Mich. Applicant's attorney: Rodger T. Ederer,

909 Pruden Building, Lansing 16, Mich. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries, frozen vegetables, cocoa beans, coffee beans and bananas*, between points in the Chicago, Ill., Commercial Zone, as defined by the Commission, and Grand Rapids, Lansing, Traverse City, and Kalamazoo, Mich., and Hammond, Ind.

NOTE: Applicant states that it transported fresh vegetables, fresh fruits, fresh berries, nuts and other exempt commodities in mixed shipments with the above commodities.

No. MC 117685, filed October 6, 1958. Applicant: CONSOLIDATED TRUCK SERVICE, INC., 1911 Willow Avenue, Weehawken, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cocoa beans, coffee beans*, and *tea*, from points in Hudson and Essex Counties, N.J., New York, N.Y., Boston, Mass, Norfolk, Va., Jacksonville, Fla., Baltimore, Md., and New Orleans, La., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Vermont, West Virginia, Virginia, and Wisconsin; and *returned shipments* of cocoa beans, coffee beans and tea, on return.

NOTE: Applicant also seeks authority to transport flower bulbs, dates, figs, fruit (dried), nuts (shelled and unshelled), peat moss, rattan, seeds and spices, when moving in the same vehicle at the same time with the commodities proposed in this application.

No. MC 117763, filed October 24, 1958. Applicant: J. C. JACKSON, JR., AND FORREST JAY NICHOLS, doing business as, FARM PRODUCTS COMPANY, 105 N. Lincoln Street, East Prairie, Mo. Applicant's attorney: A. M. Spradling, 1838 Broadway, Cape Girardeau, Mo. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New Orleans, La., to Milan, Ill.

No. MC 117824, filed November 12, 1958. Applicant: CLAUDE CEASER HANCOCK, 808 Mississippi Avenue NE., Roanoke, Va. Applicant's attorney: B. E. Estes, 516 Colonial American National Bank Building, Roanake, Va. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Norfolk, Va., Charleston, S.C., New Orleans, La., Baltimore, Md., Weehawken, N.J., and New York, N.Y., to points in Virginia, West Virginia, Ohio, Michigan, New York, and Illinois.

No. MC 118066, filed December 5, 1958. Applicant: QUEENIE CAPOZZOLI, 361 South Main Street, Burgettstown, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Grandfather authority sought under section 7 of the Transportation Act of 1958 to continue to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from New York, N.Y., Baltimore, Md., and Weehawken, N.J., to McKees Rocks, Pa.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-534; Filed, Jan. 21, 1959; 8:45 a.m.]

[Notice 69]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICE

JANUARY 16, 1959.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Special Rules Revised, 1957 (49 CFR 211.1(c)(8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d)(4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Deviation No. 3), ROADWAY EXPRESS, INC., 147 Park Street, P.O. Box 471, Akron 9, Ohio, filed January 12, 1959. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between St. Louis, Mo., and junction By-Pass U.S. Highway 40 and U.S. Highway 40 east of Wentzville, Mo., as follows: from St. Louis over Alternate U.S. Highway 40 to junction By-Pass U.S. Highway 40 near Pattonville, Mo., thence over By-Pass U.S. Highway 40 to junction U.S. Highway 40 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between St. Louis, Mo., and Wentzville, Mo., over U.S. Highway 40.

No. MC 30204 (Deviation No. 2), HEMINWAY BROTHERS INTERSTATE TRUCKING COMPANY, 438 Dartmouth Street, New Bedford, Mass., filed January 8, 1959. Attorney for said carrier, Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Western Terminus of the New England Section of the New York State Thruway at the intersection of Bruckner Boulevard and Westchester Avenue, in the Bronx, New York City, N.Y., and the junction of the Bryam River Bridge at the New York-Connecticut State line with the Western Terminus of the Connecticut Turnpike near Port Chester, N.Y., as follows: from the Western Terminus of the New England Section of the New York State Thruway over the New England Section of the New York State Thruway and access routes to junction Bryam River Bridge with the Western Terminus of the Connecticut Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from Boston, Mass., over U.S. Highway 1 to Providence, R.I., thence over Rhode Island Highway 3 to Hopkinton, R.I., thence over Rhode Island Highway 84 to the Rhode Island-Connecticut State line, thence over U.S. Highway 1 to New York, N.Y.; from Springfield, Mass., over U.S. Highway 5 to junction U.S. Highway 1, and thence over U.S. Highway 1 to New York, N.Y.; and from Boston, Mass., over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 5 to Hartford, Conn. (also from Springfield over Alternate U.S. Highway 5 to Hartford), thence over U.S. Highway 5 to New Haven, Conn., and thence over U.S. Highway 1 to New York; and return over the same routes.

No. MC 42487 (Deviation No. 3), CONSOLIDATED FREIGHWAYS, INC., 2116 Northwest Savier Street, Portland, Oreg., filed January 7, 1959. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over two deviation routes, (A) between junction U.S. Highway 40 and California Highway 4, and junction California Highway 12 and U.S. Highway 40, as follows: from junction U.S. Highway 40 and California Highway 4 over California Highway 4 to junction California Highway 24, thence over California Highway 24 to junction California Highway 12, thence over California Highway 12 to junction U.S. Highway 40; and (B) between junction U.S. Highway 40 and California Highway 4 and Sacramento, Calif., as follows: from junction U.S. Highway 40 and California Highway 4 over California Highway 4 to junction California Highway 24, thence over California Highway 24 to Sacramento; and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent route: from San Francisco, Calif., over U.S. Highway 40 to junction U.S. Highway 99W near Davis, Calif., thence over U.S. Highway 99W to Red Bluff, Calif. (also from junction U.S. Highways 40 and 99W over U.S. Highway 40 to Sacra-

mento, Calif., thence over U.S. Highway 99E to Red Bluff) thence over U.S. Highway 99 to Weed, Calif., and thence over U.S. Highway 97 to Klamath Falls, Oreg., and return over the same route.

No. MC 67646 Sub 2 (Deviation No. 4), HALL'S MOTOR TRANSIT COMPANY, P.O. Box 738, Sunbury, Pa., filed January 13, 1959. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between junction U.S. Highway 322 and Pennsylvania Highway 66, near Shippenville, Pa., and junction U.S. Highway 62 and Pennsylvania Highway 257, as follows: from junction U.S. Highway 322 and Pennsylvania Highway 66 over Pennsylvania Highway 66 to junction Pennsylvania Highway 157, near Fryburg, Pa., thence over Pennsylvania Highway 157 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction Pennsylvania Highway 257 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from Du Bois, Pa., over U.S. Highway 322 to Franklin, Pa., and thence over U.S. Highway 62 to Oil City, Pa.; and from Oil City, over Pennsylvania Highway 257 to Cranberry, Pa.; and return over the same routes.

No. MC 71478 (Deviation No. 4), THE CHIEF FREIGHT LINES COMPANY, 1229½ Union Avenue, P.O. Box 4049 Station A, Kansas City, Mo., filed January 8, 1959. Attorney for said carrier, Carl V. Kretsinger, 1014–18 Temple Building, Kansas City 6, Mo. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Kansas City, Mo., and junction U.S. Highways 50 and 59, as follows: from Kansas City over city streets to entrance of the Kansas Turnpike in Kansas City, Kans., thence over the Kansas Turnpike and access routes to Lawrence, Kans., thence over U.S. Highway 59 to junction U.S. Highway 50 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Kansas City, Mo., and Tulsa, Okla., over the following pertinent routes: from Kansas City over city streets to Kansas City, Kans., thence over Kansas Highway 10 to junction U.S. Highway 50, thence over U.S. Highway 50 to junction U.S. Highway 59, thence over U.S. Highway 59 to Garnett, Kans., thence over U.S. Highway 169 via Nowata, Okla., to Collinsville, Okla., and thence over U.S. Highway 75 to Tulsa; from Kansas City to Nowata as specified above, thence over U.S. Highway 60 to junction Oklahoma Highway 28, thence over Oklahoma Highway 28 to Chelsea, Okla., and thence over U.S. Highway 66 to Tulsa; from Kansas City to Nowata as specified above, thence over U.S. Highway 60 via Bartlesville, Okla., to junction unnumbered highway, thence over unnumbered highway via Okesa, Okla., to Pawhuska, Okla., thence over Oklahoma Highway 99 to Cleveland, Okla., and thence over U.S. Highway 64 to Tulsa; and from Kansas City to Bartlesville as specified above, thence over Oklahoma Highway 23 to Barnsdall, Okla., thence over Oklahoma Highway 11 to junction Oklahoma Highway 99, thence over Oklahoma Highway 99 to Cleveland, Okla., and thence over U.S. Highway 64 to Tulsa.

No. MC 108473 (Deviation No. 3), ST. JOHNSBURY TRUCKING COMPANY, INC., 38 Main Street, St. Johnsbury, Vt., filed January 8, 1959. Attorney for said carrier, Francis E. Barrett, Jr., 7 Water Street, Boston 9, Mass. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Western Terminus of the New England Section of the New York State Thruway at the intersection of Bruckner Boulevard and Westchester Avenue, in the Bronx, New York City, N.Y., and the junction of the Bryam River Bridge at the New York-Connecticut State line with the Western Terminus of the Connecticut Turnpike near Port Chester, N.Y., as follows: from the Western Terminus of the New England Section of the New York State Thruway over the New England Section of the New York State Thruway and access routes to junction Bryam River Bridge with the Western Terminus of the Connecticut Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from Boston over U.S. Highway 1 via Providence, R.I., to Westerly R.I. (also from Providence over Rhode Island Highway 3 to junction Alternate Rhode Island Highway 3 thence over Alternate Rhode Island Highway 3 to junction Rhode Island Highway 3, thence over Rhode Island Highway 3 via Hopkinton, R.I., to Westerly) thence over U.S. Highway 1 to Groton, Conn. (also from Hopkinton over Rhode Island Highway 84 to the Rhode Island-Connecticut State line, thence over Connecticut Highway 84 to junction U.S. Highway 1 near Groton), and thence over U.S. Highway 1 via New Haven, Conn., to New York, N.Y.; from Boston to Providence as specified above, thence over U.S. Highway 6 via Willimantic, Conn., to junction Alternate U.S. Highway 6, thence over Alternate U.S. Highway 6 to junction Connecticut Highway 17 (formerly Connecticut Highway 15) thence over Connecticut Highway 17 to New Haven, Conn., and thence to New York as specified above; from Boston to Providence as specified above, thence over U.S. Highway 44 via Putnam and East Hartford, Conn., to Hartford Conn.; thence over U.S. Highway 5 to New Haven, and thence to New York as specified above; and from Boston over Massachusetts Highway 9 to Worcester, Mass., thence over Massachusetts Highway 12 to junction U.S. Highway 20, thence over U.S. Highway 20 to Springfield, Mass., thence over U.S. Highway 5 to East Hartford, Conn., and thence to New York as specified above; and return over the same routes.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-535; Filed, Jan. 21, 1959; 8:45 a.m.]

[No. 32158]

INCREASED PARCEL POST RATES, 1957

Notice of Hearing

In the matters of assigning proceeding for hearing, petition of Parcel Post Association, Inc., reply of Postmaster General, response of Parcel Post Association, Inc., et al., and motion for leave to file same.

It appearing that the Postmaster General, by application filed April 18, 1957, under section 207 of the Act of February 28, 1925, as amended, 39 U.S.C. 247, has requested the Commission, after investigation, to consent to the establishment of increased rates on, or changes in conditions of mailability of, fourth-class mail matter as may be necessary to insure the receipt of revenue from fourth-class mail service sufficient to pay the cost of such service;

It further appearing that on May 20, 1957, the Commission instituted an investigation of the matters and things involved, and provided that the Postmaster General would formulate and submit to the Commission within a reasonable period of time specific proposals for such increased rates, or other changes in conditions or mailability;

It further appearing that on November 28, 1958, the Postmaster General, pursuant to the general provision relating to the Post Office Department contained in Chapter IV of the Supplemental Appropriation Act, 1951, approved September 27, 1950, as amended by section 213 of the Postal Rate Increase Act, 1958, approved May 27, 1958 (64 Stat. 1050, 72 Stat. 143; 31 U.S.C. 695) and section 207 of the Act of February 28, 1925, as amended (43 Stat. 1067, 45 Stat. 942, 39 U.S.C. 247), submitted an amended request for consent of this Commission to the establishment of specific rate increases and other rate reformations necessary to insure the receipt of revenue from fourth-class mail service sufficient to insure that (1) the revenues from fourth-class mail service will not exceed by more than 4 per centum the cost thereof and (2) that the cost of such fourth-class mail service will not exceed by more than 4 per centum the revenues therefrom, the average increase in rates proposed being approximately 17.1 percent;

It further appearing that on December 12, 1958, the Parcel Post Association, Inc., filed a petition to dismiss or defer the Postmaster General's amended request for fourth-class rate adjustments, that on December 23, 1958, the Postmaster General filed a reply to said petition, and that on January 14, 1959, the Parcel Post

Association, Inc., et al., submitted a response to said reply, with a motion for leave to file same;

And it further appearing, that said petition, reply and response, insofar as they refer to matters within the jurisdiction of this Commission, raise questions which cannot be resolved until after hearing has been held;

It is ordered, That leave to file said response be, and it is hereby, granted, and that disposition of the said petition of the Parcel Post Association, Inc., be, and it is hereby, deferred until after the completion of such hearing;

It is further ordered, That this proceeding be, and it is hereby, assigned for hearing at the offices of the Commission in Washington, D.C., beginning at 9:30 a.m., February 17, 1959, before Examiner Burton Fuller.

And it is further ordered, That copies of this order be (1) deposited in the office of the Secretary of the Commission for public inspection, (2) filed with the Director, Division of the Federal Register, and (3) served on the Postmaster General and the Comptroller General of the United States, and the parties listed in the appendix hereto.[1]

Dated at Washington, D.C., this 15th day of January 1959.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-506; Filed, Jan. 21, 1959; 8:45 a.m.]

[Notice 74]

MOTOR CARRIER TRANSFER PROCEEDINGS

JANUARY 19, 1959.

Synopses of orders entered pursuant to section 212(b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 61604. By order of January 13, 1959, the Transfer Board approved the transfer to Craig Henderson, doing business as Glenville Transfer, Glenville, W. Va., of Certificate No. MC 69763, issued October 19, 1949, to H. S. Furr, doing business as Glenville Transfer, Glenville, W. Va., authorizing the transportation of: General commodities, excluding household goods and other specified commodities, between Clarksburg, W. Va., and Burnsville, W. Va., between Clarksburg, W. Va., and Gassaway, W. Va., between Weston, W. Va., and Buckhannon, W. Va., between Glenville, W. Va., and Weston and Burnsville, W. Va., and between Glenville, W. Va., and Parkersburg, W. Va. with service to and from the intermediate points on the specified regular routes; and household goods as defined, between points in Gilmer County, W. Va., on the one hand, and, on the other, Grafton and Elyria, Ohio, and points in that part of Ohio on and east of U.S. Highway 21. Charles E. Anderson, Box 1386, Charleston 25, West Virginia, for applicants.

No. MC-FC 61637. By order of January 13, 1959, the Transfer Board approved the transfer to John S. Ewell, Inc., East Earl, Pa., of Permit No. MC 56155, issued February 17, 1942, to Leonard H. Himes, Kimberton, Pa., authorizing the transportation of: Milk, cream, and manufactured products thereof, between points and places in Pennsylvania, Delaware, Maryland, New Jersey, New York, and the District of Columbia, and empty milk and cream containers, from Philadelphia and Chambersburg, Pa., Greensboro, and Hagerstown, Md., and points in New Jersey to points in Maryland and Delaware and those in a specified portion of Pennsylvania. Robert H. Shertz, 811 Lewis Tower, Philadelphia 2, Pa., for transferee. Daniel Marcu, 20 South 15th Street, Philadelphia 2, Pa., for transferor.

No. MC-FC 61753. By order of January 13, 1959, the Transfer Board approved the transfer to Academy Van & Storage Company, Inc., 725 Rugby Street, Norfolk, Va., of a portion of the operating rights in second corrected certificate in No. MC 114132, issued July 17, 1953, to Churn's Truck Line, Incorporated, 1621 Virginia Beach Boulevard, Norfolk, Va., the portion so transferred authorizes the transportation of: *Household goods* as defined by the Commission, between points in Northampton and Princess Anne Counties, Va., on the one hand, and, on the other, points in New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, North Carolina, South Carolina, Georgia, and Florida.

No. MC-FC 61770. By order of January 13, 1959, the Transfer Board approved the transfer to Hawkins Trucking, Inc., West Collingswood, New Jersey, of a portion of the operating rights in Certificate No. MC 111777, issued September 24, 1957, to Stephen Lahotski, authorizing the transportation, over irregular routes, of electrical appliances and parts, from Mansfield, Ohio, to Philadelphia, Allentown, and Reading, Pa., radio and parts thereof, from Sunbury, Pa., to points in Maryland, Ohio, Connecticut, Rhode Island, Massachusetts, and the District of Columbia, radio parts from points in Maryland, Ohio, Connecticut, Rhode Island, Massachusetts, and the District of Columbia to Sunbury, Pa., radios, television receiving sets, and damaged or defective parts and accessories, from Sunbury, Shamokin, and Williamsport, Pa., to points in Illinois, Indiana, Kentucky, and Michigan, and parts and accessories used in the manufacture or assembly of radios and television receiving sets, and damaged or defective radios and television receiving sets, from points in Illinois, Indiana, Kentucky, and Michigan, to Sunbury, Shamokin, and Williamsport, Pa., and refractory cement and products thereof, between Strafford, Pa., on the one hand, and, on the other, points in New Jersey, New York, Ohio, and Maryland. Jacob Polin, P.O. Box 317, Bala-Cynwyd, Pa., for applicants.

No. MC-FC 61793. By order of January 13, 1959, the Transfer Board approved the transfer to Kermit E. Hill, doing business as Hill's Transfer Company, Washington, D.C., of the operating rights in Certificate No. MC 31630, issued February 22, 1943, to E. P. Speed, authorizing the transportation of household goods, between Washington, D.C., on the one hand, and, on the other, points in Virginia and Maryland, within 50 miles of Washington. James C. Toomey, 910 17th Street NW., Washington 6, D.C., for applicants.

No. MC-FC 61801. By order of January 14, 1959, the Transfer Board approved the transfer to J. E. Cheatham Trucks, Inc., Seminole, Okla., of Certificate No. MC 10881, issued March 29, 1943, to J. E. Cheatham, doing business as Cheatham Trucks, authorizing the transportation of machinery, materials, supplies, and equipment, used in oilfield activities, over irregular routes, between points in Lea and Eddy Counties, N. Mex., and those in Oklahoma, Kansas, Texas, and Louisiana. W. T. Brunson, 508 Leonhardt Building, Oklahoma City 2, Okla.

No. MC-FC 61836. By order of January 14, 1959, the Transfer Board approved the transfer to Marinel Transportation, Inc., North Chelmsford, Mass., of Certificate No. MC 52362, issued April 28, 1942 by the Commission to George W. Marinel, doing business as Marinel Transportation, North Chelmsford, Mass., authorizing the transportation of passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from Lowell, Mass., and points within ten miles of Lowell, to points in New Hampshire, and return. Frank J. Garvey, Appelton Bank Building, Lowell, Mass., for applicants.

No. MC-FC 61865. By order of January 15, 1959, the Transfer Board approved the transfer to Roberta Volpe, doing business as D. Volpe, Philadelphia, Pa., of Permit in No. MC 34977 and Interim permit in No. MC 34977 Sub 4, issued June 22, 1949 and August 8, 1958, respectively, to Domenick Volpe, and Roberta Volpe, a Partnership, doing business as D. Volpe, Philadelphia Pa., authorizing the transportation of *Steel shelving, lockers, and cabinets, sheet steel, culvert pipe, galvanized sheet steel, metal laths, pipe, reinforcing steel rods, nails, and other sheet metal products* between various specified points in Delaware, Maryland, District of Columbia, New Jersey, New York, Pennsylvania, and Virginia. Clarence M. Freedman, 1405 Commonwealth Building, Philadelphia, Pa., for applicants.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 59-507; Filed, Jan. 21, 1959; 8:45 a.m.]

[1] Filed as part of the original document.